

20.04.2021
Court No.28
Item No. 27
Krishnendu
Bail Granted

**CRM 1730 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in Court on 10th February, 2021 in connection with Panskura Police Station Case No. 325 of 2020 dated 14.10.2020 under sections 498(A)/306/34 of the Indian Penal Code;

And

In Re: **Tamal Santra**

Petitioner

Mr. Udaynarayan Betal
Mr. Bhaskar Hutait

For the Petitioner

Mrs. Sukanya Bhattacharya
Md. Kutubuddin

For the State

The learned advocate for the petitioner submits that the petitioner is innocent of the charges and *prima facie* there are no allegations in the F.I.R. On the basis of subsequent statements of some of the neighbours, though the case was registered under section 302 of the Indian Penal Code but subsequently charge sheet has been submitted under section 306 of the Indian Penal Code (along with other sections). Additionally, the learned advocate submits that the petitioner is in custody for about 200 days and as charge sheet has already been submitted, further detention of the petitioner may not be warranted.

The learned advocate for the State opposes the prayer for bail and draws the attention of this Court to the post-mortem report as also the statements of the neighbours and the earlier order passed by this Court being CRM 10868 of 2020 rejecting the prayer for bail of the petitioner.

We find that there has been no suppression of fact and the present application is a prayer for renewal of bail. We have also checked the statements of the neighbours in the case diary. We find that one of the neighbours, who happens to be CSW 7, in fact, did not cast any aspersion on the present petitioner for being involved in the alleged offence.

Having regard to the present status of the case and without going into further details, we are of the opinion that further detention of the petitioner is not required.

Accordingly, we allow this application and direct that the petitioner namely, **Tamal Santra**, shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Purba Medinipur and on further conditions that the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and shall attend the learned trial court on each and every dates fixed for hearing . The petitioner shall meet with the Officer-in-Charge of the Panskura Police Station once a week until further orders.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the bail of the petitioner without any further reference to this Court.

With the aforesaid observations, the application for bail, being CRM No. 1730 of 2021, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)