

(Via Video Conference)

CRM 2048 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chapra Police Station** Case No. **378 of 2020** dated **08.10.2020** under Sections **302/120B/34** of the Indian Penal Code.
- A n d -

In the matter of : Samar Halder

.... Petitioner.

Mr. S. Das

... For the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. APP
Mr. P. P. Das,
Mrs. M. Roy,

... For the State.

The allegation against the petitioner is under Sections 302/120B/34 of the Indian Penal Code. It is alleged that the petitioner is a conspirator to the murder of the victim by the principal accused. The petitioner is in custody for about 314 days. Charge sheet has been submitted.

The State opposes the prayer for bail and refers to the case diary including the statements of witnesses under Section 161 of the Code and the seizure list.

We have considered the material in the case diary. The case is based on circumstantial evidence. Charge sheet has been submitted. The petitioner is in custody for about 314 days. Having considered the material in the case diary as well as extent of involvement of the petitioner in the alleged crime and as charge sheet has been submitted, we are inclined to hold that no fruitful purpose shall be served by

further detention of the petitioner. The petitioner's prayer for bail is, thus, allowed on stringent conditions.

Accordingly, we direct that the petitioner 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, Krishnanagar, Nadia and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)