

(Via Video Conference)

CRM 3552 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhimpur Police Station Case No.17 of 2021 dated 18-01-2021 under Sections 338/307 of the Indian Penal Code.

- A n d -

In the matter of : Sujit Sarkar

.... Petitioner.

Mr. Sumanta Das

... For the Petitioner.

Mr. Binay Kumar Panda,
Ms. Pushpita Saha,
Mr. MD Kutubuddin

... For the State.

The allegation against the petitioner is under Sections 338/307 of the Penal Code and the petitioner is in custody for about 187 days.

It is submitted on behalf of the petitioner that the victim sustained injuries due to a road traffic accident and there was no intention on the part of the petitioner to deliberately cause hurt to the victim. It was a case of failure of brakes of the vehicle.

The State opposes the prayer for bail and refers to statements of the witnesses in the Case Diary. The injury report of the victim states that it was a road traffic accident.

We have considered the material available before us. The petitioner is in custody for 187 days. Charge-sheet has been submitted. In view of the nature of the offence and the extent of complicity of the petitioner therein, we are inclined to hold that further detention of the petitioner is not required and he may be granted bail.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Nadia at Krishnagar. 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. He shall report to the Officer-in-Charge of the local police station once every fortnight.

In the event the petitioner fails to appear before the trial Court without justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM 3552 of 2021 is, thus, **allowed**.

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

(**Suvra Ghosh, J.**)

(**Arijit Banerjee, J.**)