

13.08.2021

Court No.28
Item No.16

As
(Allowed)

CRM 3973 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Pathar Pratima Police Station Case No. 51 of 2021, dated 18.02.2021 under Sections 447/325/326/307/302/506/509/34 of the Indian Penal Code.

And

In the matter of : **Annapurna Maity & Ors.**
...Petitioners

Mr. Sandip Kr. Mandal.
...For the Petitioners.

Mr. Nequive Ahmed, Id. A.P.P.,
Mr. Anwar Hossain,
Ms. Amita Gaur.

...For the State.

Mr. Gouranga Kr. Das.
...for the De-facto complainant.

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Pathar Pratima Police Station Case No. 51 of 2021, dated 18.02.2021 under Sections 447/325/326/307/302/506/509/34 of the Indian Penal Code.

The three persons have joined as petitioners in the instant application seeking bail in connection with the aforementioned case.

It is submitted that the principal accused i.e. Breehaspati Maity, inflicted the fatal blow to the deceased who later on succumbed to such injury. The principal accused is still in custody. The petitioners were accompanying the principal accused and from the statement of the injured, it appears that they also inflicted blows upon them causing severe injuries.

We had an occasion to peruse the injury report annexed to the Case Diary wherefrom it appears that the injuries are simple in nature. Since the role of the petitioners attributable to the commission of an alleged offence, depends upon the circumstantial evidence, we do not think the further custodial interrogation of the petitioners is required.

The prayer for bail of the petitioners is thus allowed.

Accordingly, the petitioners **Annapurna Maity, Sudhangshu Maity and Manmatha Maity** shall be released on bail upon furnishing a bond of Rs.10,000 /- each (Rupees Ten Thousand), with two court sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kakdwip, South 24-Paraganas subject to the condition that the petitioners shall appear before the Trial Court on every date of hearing until further orders.

In the event the petitioners fail to do so without any justifiable cause, the Trial Court shall be at liberty to pass necessary order in accordance with law without any further reference to this Court.

The application for bail, being CRM 3973 of 2021, is thus **disposed of.**

(Harish Tandon, J)

(Bibek Chaudhuri,J.)