

28.09.2021
Item no. 26
Court No.32.
S.De.
(Allowed)

(Via Video Conference)

CRM 4713 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.07.2021 in connection with Egra Police Station Case No. 437 of 2020 dated 28.08.2020 under Sections 302/201/34 of the Indian Penal Code.

And

In the matter of : Biswanath Bera.

.....Petitioner.

Mr. Anirban Mitra, Advocate,
Ms. Saberi Saha, Advocate,
Mr. Amit Halder, Advocate,

.....for the Petitioner.

Mr. Noguive Ahmed, Ld. A.P.P.,
Mrs. Amita Gaur, Advocate,

.....for the State.

The petitioner says that he is not involved with the alleged incident at all. The main accused persons are Deepak Mondal and Raju Dolui. Both of them have been enlarged on bail by this Court.

We have seen the statements in the case diary. It appears that the present petitioner is on the same footing as Deepak Mondal and Raju Dolui if not on better footing. The other two accused persons have been enlarged on bail.

Considering the same and generally assessing the material in the case diary and keeping in mind that the charge-sheet has already been submitted upon completion of

the investigation, we are of the view that further custodial detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner namely **Biswanath Bera** 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 Additional Chief Judicial Magistrate, Contai at Purba Medinipur and on further conditions that he shall remain within the jurisdiction of the concerned police station and the petitioner 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.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)