

09.12.2021
cm/ct 28
sl no. 115

C.R.M. 5963 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Sankrail P.S Case No. 811 of 2020 dated 11.09.2020 under Section 302/34 of the Indian Penal Code.

And

Allowed

In Re : Raju Sharma

..... petitioner

Mr. Soumya Basu Roy Chowdhuri

..... for the petitioner

Mr. R.D. Nandi

..... for the State

Petitioner is not the principal accused. He is in custody for 453 days.

Learned lawyer for the State submits that the petitioner was present at the place of occurrence.

We have considered the materials on record which shows that the victim was run over by co accused Rajesh Sharma who is in custody. Keeping in mind the extent of complicity in the alleged crime and period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 CJM, Howrah on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM 5963 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)