

21.09.2021

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Ct. No. 29
sdas
Allowed

**C.R.M. 6111 of 2021
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Asansol South Police Station Case No. 34 of 2021 dated 16.01.2021 under Sections 302/201 of the Indian Penal Code.

And

In Re : Md. Suleman @ Suleman Khan petitioner

Mr. Bitasok Banerjee
Mr. A. K. Datta

.....for the petitioner

Mr. Saibal Bapuli, learned A.P.P.
Mr. Bibaswan Bhattacharya

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the charge-sheet was submitted and therefore further detention of the petitioner is not required. He points out that the room in which the incident happened was locked from inside. There is no evidence as against the petitioner.

Learned advocate appearing for the State draws the attention of the Court to the post mortem report and to the statement recorded under Section 161 of the Code of Criminal Procedure.

Considering the materials available in the case diary and considering the fact that charge-sheet was submitted and considering the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Asansol, Paschim Bardhaman, subject to the condition that 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 appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel bail of the petitioner automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)