

05.10.2021

10

Ct. No. 29

KAUSHIK

Allowed

**C.R.M. 6609 of 2021
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Maidan** Police Station Case No. **87** of **2020** dated **02.08.2020** under Sections 302/34 of the Indian Penal Code, 1860.

And

In Re : Ajay Roy.

..... petitioner

Mr. M. Hossain

Mr. S. Lahiri

Mr. S. Azam

.....for the petitioner

Mr. Neiguive Ahmed

Ms. Amita Gaur

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, the police submitted charge-sheet. Further detention of the petitioner is not required.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement recorded under Section 161 of the Code of Criminal Procedure (Cr. P. C.).

Considering the materials in the case diary and considering the fact that the petitioner stands on the different footing than the other co-accused Abhishek Singh, we grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 Chief Metropolitan Magistrate, Calcutta**, 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 his bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)