

29.11.2021

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. 7364 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Karimpur** Police Station Case No. **122** of **2021** dated **25.06.2021** under Sections 304/34 of the Indian Penal Code, 1860.

And

In Re : Goutam Halder

..... petitioner

Mr. Sekhar Kumar Basu

Mr. Asraf Mondal

.....for the petitioner

Mr. Saibal Bapuli

Mr. Bibaswan Bhattacharya

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, the petitioner is in custody since June 27, 2021. The police filed charge-sheet and, therefore, further detention of the petitioner is not required. He submits that, the victim was suspected to be a thief and was beaten up by some person. The petitioner and another person took the victim to the hospital where he succumbed to his injuries. He submits that, application for grant of anticipatory bail on behalf of three other persons are pending in the Coordinate Bench.

Learned advocate appearing for the State draws the attention of the Court to the contents of 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, the gravity of the offence and the complicity of the petitioner therein and considering the conduct of the petitioner in taking the victim to the hospital and considering the fact that the police filed charge-sheet and considering the period of detention of the petitioner, 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 Additional Chief Judicial Magistrate, Tehatta, Nadia**, 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.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)