

20.12.2021
Sl. No.137
akd
[ALLOWED]

C. R. M. 8300 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.12.2021 in connection with Dhubulia Police Station Case No. 107 of 2020 dated 22.05.2020 under Sections 341/326/307/302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re: **Suman Gain @ Guin**

... .. Petitioner

Mr. Prabir Majumder

... .. for the petitioner

Mr. Madhusudan Sur .. Ld. Addl. Public Prosecutor

Mr. Dipankar Pramanick

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for about 475 days. It is further submitted that there is little progress in the matter since the last rejection of bail by this court.

Learned advocate appearing for the State opposes the prayer for bail and submits that the petitioner also participated in the assault.

We have considered the materials on record. Petitioner is not the principal accused who had fired at the deceased. Keeping in mind the extent of complicity of the petitioner in the alleged crime and as there is little progress in the matter since the last rejection of bail by this court, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Suman Gain @ Guin**, 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 Additional Chief Judicial Magistrate, Krishnagar, Nadia subject to condition that the

said petitioner shall appear before the trial court on every date of hearing until further orders 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 for bail, thus, stands **allowed**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)