

20.12.2021.
153.
as
(Allowed)

C.R.M. 8361 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Topsia P.S. Case No.68 of 2021 dated 20.05.2021 under Sections 307/34 of the Indian Penal Code and Section 25(1B) (a)/27 of the Arms Act.

In the matter of : Kunal Lal @ Babla.

Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.,
Ms. Amita Gaur.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 215 days.
Investigation is complete.

Learned Advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record and keeping in mind the facts and circumstances of the case and as the injuries are noted on the arm of the victim and not on a vital part of the body, we are of the opinion whether the petitioner intended to murder the victim may be assessed in the light of the aforesaid factors during trial.

However, under such circumstances and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner subject to conditions.

Accordingly, 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, Sealdah subject to condition that the 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 and on further condition that the petitioner shall not leave the jurisdiction of Entally Police Station except for the purpose of attending court proceedings and shall appear before the Officer-in-charge of the Entally Police Station once in a week until further orders.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application, being C.R.M.8361 of 2021, is disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)

