

04.01.2021

Ct. 30

Sd./27

CRA 705 of 2019
With
CRAN 2 of 2020(Old CRAN 139 of 2020)

Prabir Biswas & Ors.vs. State of West Bengal & anr.

Mr. Milon Mukherjee – Sr. Advocate

Mr. S. Chakraborty

Mr. A.K. Biswas

..For the petitioners/appellants.

Mr. Arijit Ganguly

Mr. Anik Ghatak

..For the State.

This is an application under section 389 Cr.P.C arising out of Criminal Appeal No. 705 of 2019.

It is submitted on behalf of the petitioners/appellants that the appellant no. 1 has been convicted and sentenced to suffer RI for 5 years for the commission of offence u/s. 304 Part II of the IPC and fine with default clause. Similarly, the appellant no. 2 has been convicted for the charges u/s. 326 IPC and sentenced to suffer RI for 5 years and fine with default clause.

The punishment is a term punishment and bail in connection with the appeal has been sought, inter alia, on the ground that the appellants faced trial for the last 26 years and they were on bail and since September 2019, they are in jail pursuant to the judgment which is to be tested in the appeal.

Considering the back ground of the case and the fact that there may be delay for disposal of the appeal in view of the pandemic situation, the appellants shall be released on bail of Rs. 20,000/- each with two sureties of like amount each, one of whom must be local, subject to the satisfaction to the learned Chief Judicial Magistrate, Nadia and on condition that they would attend the trial court once in a month until further order.

Accordingly, CRAN 139 of 2020 is allowed and disposed of.

(Shivakant Prasad, J.)