

27.01.21 In re: An application for bail under Section 439 of the Code of Criminal Procedure
(S.R.) filed in connection with **English Bazar Women Police Station Case No.26 of 2020**
Sl.27 dated **09.03.2020** under Sections **498A/302** of the Indian Penal Code (G.R. Case
Ct.28 **No.1196 of 2020**);

And

In re: Subrata Roy @ Subroto Roy

... petitioner.

Mr. Kallol Mondal
Mr. M.A. Sk.
Mr. K. Ray
Ms. Amrita Chel
Mr. S. Das
Mr. A. Banerjee

... for the petitioner.

Mr. Saswata Gopal Mukherji, Ld.P.P.
Mr. Partha Pratim Das
Mrs. M. Roy

...for the State.

Mr. Mondal, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The alleged incident occasioned about nine years after the petitioner's marriage was solemnized. Upon completion of investigation charge sheet has also been submitted and as such, further detention of the petitioner, who is in custody for more than 324 (three hundred twenty four) days, is not necessary.

Mr. Das, learned advocate appearing for the State opposes the petitioner's prayer for bail and draws our attention to the several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the dying declaration and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that further detention of the petitioner is not warranted.

Accordingly, the petitioner, namely, **Subrata Roy @ Subroto Roy**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Malda.

The petitioner shall also be present before the trial court on every date of hearing and in the event, he fails to comply with such direction without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner without reference to this Court.

Accordingly, the application for bail being CRM No.10934 of 2020 is allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

