

18.03.2021

Item No.57

Ct.No.28

dc.

Allowed

C.R.M. 11286 of 2020

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Ranaghat P.S. Case No. 196 of 2020 dated 25.09.2020 under Sections 346/326/341 of the Indian Penal Code and adding Section 304 of the Indian Penal Code.

And

In Re : **Bappa Sutradhar**

... Petitioner.

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

... For the Petitioner.

Ms. Faria Hossain,
Ms. Sonali Das

... For the State.

This is an application for bail in connection with Ranaghat P.S. Case No. 196 of 2020 dated 25.09.2020 under Sections 346/326/341 of the Indian Penal Code and adding Section 304 of the Indian Penal Code at the behest of the petitioner.

The learned advocate for the petitioner submits that he and his wife have been implicated in the instant case. He further submits that wife has already been granted bail on 09.12.2020 in CRM 9390 of 2020 after she was detained in jail for nearly 72 days. It is submitted that the petitioner is in custody for about 168 days.

The learned advocate appearing for the State opposes the prayer for bail. It is submitted by her that the role of the petitioner for commission of offence cannot be ruled out.

However, she submits that the petitioner and his wife stand on the same footing.

After hearing the respective Counsels and on perusal of the materials available on record and the fact that the petitioner and his wife stand on the same footing and the moment the wife has been granted bail by this Court, the petitioner is entitled to be treated equally on the ground of parity. As such, petitioner's prayer for bail is allowed.

Accordingly, we direct that the petitioner, namely, **Bappa Sutradhar** shall 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, Ranaghat, 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.

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

The application for bail, being CRM 11286 of 2020, is disposed of.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)