

29.07.2021

Court No.28
Item No.19
(ALLOWED)

Ab/Saswata

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT
JALPAIGURI**

(Via Video Conference)

CRM 749 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 08.06.2021 in connection with Dinhata Police Station Case No. 147 of 2020 dated 11.05.2020 under Sections 306/34 of the Indian Penal Code;

And

In the matter of : **Sujan Barman @ Sujan Roy Barman.**
...Petitioner

Mr. Soubhik Mitter,
Mr. Arkadeb Bhattacharya,
Mr. Sabir Ali.

...For the Petitioner

Mr. Kallol Acharjee,
Mr. Sagnik Shankar Sikdar.

... For the State

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

The petitioner was arrested in connection with the aforesaid case and prays for bail under Section 439 of the Code of Criminal Procedure.

Though an allegation has been made under Sections 306/34 of the Indian Penal Code against the petitioner but on careful perusal of the case diary, we do not find any positive role attributed against the petitioner, which aided and abetted commission of suicide by one Mana Barman. The principal accused has already been enlarged on bail.

Considering all such circumstances, the petitioner is enlarged

on bail.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Dinhata, Cooch Behar, subject to the condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders.

In the event the petitioner fails to do so without any justifiable cause, the Trial Court shall be at liberty to pass necessary order in accordance with law without any further reference to this Court.

The application for bail, being CRM 749 of 2021, is thus **allowed.**

(Harish Tandon, J)

(Bibek Chaudhuri,J.)