

06.01.2022
Sl. No.67
Aloke
Ct. No. 29

C. R. M. (DB) 29 of 2022

[Via Vide Conference]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.01.2022 in connection with Krishnanagar-Kotwali Police Station Case No. 1105 of 2021 dated 10.11.2021 under Sections 304/34 of the Indian Penal Code.

And

In Re: **Sumit Santra @ Sibai**

... .. Petitioner

Mr. Souvik Mitter, Advocate
Mr. Sumanta Das, Advocate

... .. for the petitioner

Mr. P.K. Datta, Id. APP
Mr. Santanu Deb Roy, Advocate

... .. for the State

It is submitted on behalf of the petitioner that the petitioner is in custody for 52 days. It is submitted that there was a public agitation resulting jam in the road and a terminally ill patient who was stuck in the traffic jam died. Ingredients of the alleged offences are not disclosed.

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

We have considered the materials on record. Allegations require to be assessed in the light of the aforesaid submissions made on behalf of the petitioner and keeping in mind the period of detention suffered by him, we are inclined to grant bail to the petitioner.

Therefore, the accused/petitioner be released on bail upon furnishing 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 Chief Judicial Magistrate, Krishnanagar,

Nadia, 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 or commit similar offences in future.

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 automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Joymalya Bagchi, J.)

(Bibhas Ranjan De, J.)