

06.07.2022
tkm/ct 28
sl no. 42

C.R.M. (DB) 2150 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Jorasanko P.S Case no. 9 of 2022 dated 14.1.2022 under sections 279/304(II)/333 IPC read with sections 3(i)/181 of the Motor Vehicles Act
And

Allowed

In Re : Nepal Kumar Yadav @ Nepal Ray @ Arbind Ray
..... petitioner

Mr. Milon Mukherjee, Sr. Adv
Mr. B Manna
..... for the petitioner

Mr. Swapan Banerjee
Ms. Purnima Ghosh
..... for the State

Petitioner is in custody for 173 days. It is contended ingredients of offence punishable under section 304 IPC are not disclosed in the facts of the case.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record in the light of the submission that ingredients of offence punishable under section 304 IPC are not disclosed in the facts of the case and in view of the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACMM, Kolkata on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he 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 being CRM (DB) 2150 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)