

15.12.2022
tkm/ct 28
sl no. 45

C.R.M. (DB) 4412 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bankura P.S case no. 335 of 2022 dated 4.9.2022 under sections 302/120B/34 of the IPC
and

Allowed

In Re : Kartik Das (Bauri)

..... petitioner

Mr. Soumik Ganguly
Mr. S Nandy

..... for the petitioner

Ms. Z N Khan
Md. Kutubuddin

..... for the State

Petitioner is in custody for 96 days. It is contended there was scuffle between the parties. Victim was in drunken condition. He fell down and suffered head injury. As a result he died. Accordingly, petitioner prays for bail.

Learned lawyer for the State opposes the prayer for bail and submits blood-stained bamboo stick was recovered on the leading statement of the petitioner.

We have considered the materials on record. Statements of witnesses recorded under section 164 Cr.P.C show there was an altercation between the petitioner and the victim who was in drunken condition. Petitioner hit the victim on the leg. Under such circumstance, it is possible victim suffered head injury due to fall.

Accordingly, in view of the period of detention suffered by the petitioner and as investigation is complete, 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

CJM, Bankura 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) 4412 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)