

31.01.2023
Sl. No.31
akd
[ALLOWED]

C. R. M. (DB) 353 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.01.2023 in connection with Kotwali Police Station Case No.1084 of 2021 dated 04.11.2021 under Sections 326/302/307/34 of the Indian Penal Code.

And

In Re: **Ramesh Pramanick**

... .. Petitioner

Mr. Ashok Das
Mr. Amanul Islam
Mr. Sourav Mukherjee

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Mr. Parthapratim Das
Mrs. Manasi Roy

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 452 days. It is further submitted the prosecution witnesses have not supported the case.

Learned Advocate for the State opposes the prayer for bail and submits petitioner is the son of the deceased who suffered homicidal death.

We have considered the materials on record. No doubt the victim suffered homicidal death but prosecution witnesses examined so far have not implicated the petitioner. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Ramesh Pramanick**, 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 Chief Judicial Magistrate, Nadia at Krishnanagar subject to condition that the said

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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)