

15.06.2023

Sl. 15

Court No.29

Suvayan

(Allowed)

C.R.M. (DB) 2115 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sessions case No. **332 (6) 2022** arising out of **Krishnanagar GRPS** P. S. Case No. **12/2021** dated **14.12.2021** under Sections **302/34** of the IPC, 1860.

And

In the matter of: **Parimal Ghosh @ Parimol Ghosh @ Bapai Ghosh & Ors.**

....petitioners

Mr. Souvik Mitter

Mr. Ashok Das

Mr. Litan Maitra

Mr. Kalyan Bhattacharya

Ms. Rajnandini Das

...for the petitioners.

Mr. P. K. Datta

Mr. P. K. Ganguly

...for the State.

Mr. Ali Ahsan Alamgir

Ms. Soma Mal

Ms. June Modak

...for the de facto complainant.

1. Heard the learned Counsel for both the parties.
2. The petitioners are earning their livelihood as roaming vendors in the train. There was a tussle between the present petitioners with another group of vendors. The deceased who is a student having intervened, he was also assaulted and he is alleged to have been pushed from the running train causing his death by running over of the same train. However, in the meantime charge-sheet has already been filed and the case is otherwise ready for trial.
3. Regard being had to the facts and submissions in the case, factum of permanent residence of the petitioners and the stage of proceeding, it is directed that each of the petitioner shall be released on bail by the learned Additional Sessions Judge, 5th Court, Krishnagar, Nadia in Sessions Case No. 332

(6) of 2022 arising out of Krishnanagar GRPS case No. 12 of 2021 on such terms and conditions as deemed just and proper in the facts and circumstances of the present case including the conditions that: i) the petitioners shall appear before the learned Trial Court on each date of substantive hearing subject to provision of Section 317 Cr.P.C.; ii) they shall not leave the District in which they are staying except for coming to the Court on the date of substantive hearing without leave of the Trial Court; iii) violation of any of the conditions shall entail cancellation of bail and learned Trial court is authorised to do so on proper application being filed.

4. Accordingly, the prayer for bail of the petitioners are allowed.
5. CRM (DB) 2115 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)