

1107.2023
D/L 54
Ct. No.28
allowed
(SKB)

CRM (DB) 2537 of 2023

In Re:- An application for bail under section 439 of the Code of Criminal Procedure arising out of Madhabdihi Police Station Case No. 181 of 2019 dated 04.12.2019 under Sections 302/201 of the Indian Penal Code (G.R. Case No.5096 of 2019)

And

In the matter of : Krishna Hansda

... Petitioner

Mr. Uday Sankar Chattopadhyay

... for the petitioner

Mr. Madhusudan Sur, Id. APP

Mr. Manoranjan Mahata

... for the State

Heard learned advocates for the parties.

We have considered the materials on record including the report filed on behalf of the State. There is no eye witness to the incident. Inspite of protracted period of detention, trial has not yet commenced. Whether the incriminating circumstance relied by the prosecutor would establish guilt of the petitioner may be assessed during trial.

Under such circumstances, we are inclined to grant bail to him.

Accordingly, petitioner namely Krishna Hansda 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 CJM, Purba Bardhaman 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 being CRM (DB) 2537 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)