

Learned Advocate for the State opposes the prayer for bail.

We have gone through the entire materials as placed before us including the depositions of witnesses as recorded so far. Admittedly, charge was framed under Section 304 IPC. Considering the entire scenario as placed before us, we are convinced that the present accused petitioner is successful in making out a case for obtaining a favourable discretion in his favour.

Accordingly, we direct that the petitioner, namely Sitaram Munda @ Muad shall be released on bail upon furnishing a bond of Rs.1,000/-, with one registered surety, to the satisfaction of the learned Additional Sessions Judge, 1<sup>st</sup> Track Court, Alipurduar, on condition that the present accused petitioner shall appear before the Trial Court on each date of substantive hearing subject to the provisions of Section 317 Cr.P.C. and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

**(Partha Sarathi Sen, J.)**

**(Arijit Banerjee, J.)**

