

27 16.5.2017

C.R.M. No.4235 of 2017

p.d.

In re:- Arnab Rao @ Arnab Roa .... Petitioner.

-And-

Re: An application for bail under Section 439 Cr.P.C. affirmed on 12.5.2017 in connection with Gurap Police Station Case No.42/17 dated 11.3.2017 under Sections 279/338/304 of the Indian Penal Code.

Mr. Jayanta Narayan Chatterjee,  
Mr. Dibyendu Bhattacharyya,  
Mr. Dwaipayan Biswas ... For the petitioner.

Mr. Prasun Kumar Dutta,  
Mr. Saryati Dutta .... For the State.

Heard the learned Advocates appearing on behalf of the parties.

Perused the case diary.

The petitioner is in custody for 64 days. He is a driver of a car and against him the allegation is that he was driving the car in such a speed for which the same met with an accident and as a result, one person died and few others sustained injuries.

On the other hand, the learned Counsel for the State opposes the prayer for bail and he draws our attention to the statement of the co-passenger as also the statement of the driver recorded under Section 161 Cr.P.C.

Going through the same, we find that such statements, prima facie, supports the prosecution case.

However, having regard to the materials collected during investigation and considering the petitioner's length of detention in custody and when no case is made out from the side of the State showing that further custodial detention of the petitioner is necessary

or if he is released on bail, he is likely to abscond or he may tamper with the evidence, we allow his prayer for bail.

Let the petitioner be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Hooghly subject to the condition that after release, the petitioner shall meet the investigating officer of the case once in every week, until further orders.

The application for bail is, thus, disposed of.

**(Ashim Kumar Roy, J.)**

(Amitabha Chatterjee, J.)