

22.08.19
Sl. No.14
Ct. No.1
akd
[ALLOWED]

CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri

C. R. M. 676 of 2019

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.08.2019 in connection with Mekhliganj Police Station Case No. 287 of 2018 dated 22.09.2018 under Sections 341/323/379/34 of the Indian Penal Code and charge sheet submitted vide Charge Sheet No.07 of 2019 dated 22.01.2019 under Sections 395/397/412/413 of the Indian Penal Code. (G.R. Case No.490 of 2018)

And

In Re: **Sona Karjee**

... .. Petitioner

Mr. Sandeep Dutta .. Advocate

... .. for the petitioner

Mr. Kallol Acharjee .. Sr. Govt. Advocate

Mr. Biswarup Roy .. Advocate

... .. for the State

The petitioner is seeking bail in connection with a case relating to offences punishable under Sections 341/323/379/34 of the Indian Penal Code and charge sheet submitted vide Charge Sheet No.07 of 2019 dated 22.01.2019 under Sections 395/397/412/413 of the Indian Penal Code.

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case pursuant to the statement of a co-accused person. It is further submitted that he is in custody for about 1½ years. It is also submitted that co-accused persons are on regular bail.

Learned Counsel for the State opposes the prayer for bail and submits that the petitioner along with others had snatched the vehicle from the de-facto complainant.

Having considered the materials on record and bearing in mind the nature of allegations and the extent of complicity of the petitioner in the alleged crime and in view of the period of detention suffered by him and as co-accused persons are on regular bail, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Sona Karjee**, be released on bail upon furnishing 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 Additional Chief Judicial Magistrate, Mekhliganj, Cooch Behar 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**.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)