

23.12.2020.
25.
as
(Allowed)

C.R.M. 4672 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baruipur P. S. Case No.1355 of 2019 dated 23.06.2019 under Sections 302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

In the matter of : Abdul Rahim Khan @ Khurshid Khan.
.... Petitioner.

Mr. Joydeep Biswas,
Mr. Soumyadeep Das,
Mr. Kaushik Ghosh.

...for the Petitioner.

Mr. Swapan Banerjee,
Mrs. Purnima Ghosh.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted on behalf of the petitioner that he is in custody for about 539 days. Co-accuseds have been granted bail.

Learned Advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. In view of the extent of complicity of the petitioner in the alleged crime and as co-accuseds are on bail, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like

amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Baruipur, South 24-Paraganas, subject to condition that the 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application, being C.R.M. 4672 of 2020, is disposed of.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)