

19.10.2020

BP/BR
Sl.7

CRM 7703 of 2020

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with New Jalpaiguri Police Station Case No. 866 of 2019 dated 20.09.2019 under Sections 461/379 of the Indian Penal Code.

In the matter of : Rahul Roy & Ors....petitioners

Mr. Hillol Saha Poddar
..for the petitioners.

Mr. Arun Sarkar
Mr. Abhijit Sarkar
..for the State.

Learned advocate for the petitioners submits that nothing was recovered from the possession of the petitioners. The petitioners were falsely implicated in the present case. Therefore, the petitioners should be granted bail.

Learned advocate for the State after producing the memorandum of evidence submits that nothing was recovered from the possession of the petitioners.

Having considered the materials on record and after perusing the memorandum of evidence, in our considered view, since nothing was recovered from the possession of the petitioners, therefore, the petitioners

should be enlarged on bail. Accordingly, the prayer for bail is allowed.

Let the petitioner no.1 Rahul Ray, the petitioner no.2 Aminul Hoque and the petitioner no.3 Sahidul Islam @ Saidul Islam be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand only) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned CJM, Jalpaiguri subject to the condition that during bail the petitioners shall appear before the learned trial court regularly till disposal of the trial and the petitioners shall not intimidate witnesses or tamper with evidence in any manner whatsoever,

In the event the petitioners fail to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any reference to this court.

The application for bail being C.R.M. 7703 of 2020 is disposed of.

(Samapti Chatterjee, J.)

(Aniruddha Roy, J.)