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CRM 8426 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bolpur P.S. Case No.106 of 2020 dated 07.04.2020 under Sections 406/409/379/120B of the Indian Penal Code.

And

In the matter of: Uttam Sarkar

....Petitioner.

Mr. Sanjib Kr. Dan

Mr. Saryati Datta

...for the Petitioner.

Mr. S. Banerjee

Ms. Purnima Ghosh

...for the State.

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case and he is in custody for a fortnight.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submission, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a 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 ACJM, Bolpur, Birbhum subject to condition that the petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fail to appear before the trial court without 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 for bail is, accordingly, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Abhijit Gangopadhyay, J.)

(Joymalya Bagchi, J.)