

19.11.2020

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CRM 8573 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kulti P.S. Case No.465 of 2019 dated 12.11.2019 under Sections 392/395/397/412 of the Indian Penal Code and Section 25/27/35 of the Arms Act.

And

In the matter of: Mithun Ruidas

....Petitioner.

Mr. Sajal Kr. Ghosh

...for the Petitioner.

Mr. Madhusudan Sur, APP.

Mr. D. Paramanick

...for the State.

Petitioner is in custody for 363 days.

It is submitted on behalf of the petitioner that co-accuseds have been granted bail by a co-ordinate Bench of this Court.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner and others had stolen cash from an employee of a petrol pump. Victims mobile phone and fire arm were recovered from the petitioner.

Having considered the materials on record and keeping in mind the facts and circumstances of the case and as co-accuseds have been granted bail, we are inclined to grant bail to the petitioner also.

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 Additional Sessions Judge, Asansol, Paschim

Bardhaman 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.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)