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CRM 9591 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ausgram P.S. Case No.303 of 2020 dated 28.09.2020 under Sections 420/406/468/471/472 of the Indian Penal Code.

And

In the matter of: Rajesh Pramanik

....Petitioner.

Mr. Sourav Chatterjee

Mr. K. Bagchi

...for the Petitioner.

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

...for the State.

It is submitted on behalf of the petitioner that he is in custody for 70 days. Co-accuseds have been enlarged on bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. As the petitioner stands on the same footing with co-accuseds who have been granted bail and in view of the period of detention suffered by the petitioner, we are of the opinion that petitioner may be granted bail.

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 CJM, Bardhaman subject to condition that the petitioner 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 fails 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.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)