

23.12.2020
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Sdas
allowed

**CRM 9685 of 2020
(via video conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda Police Station Case No. 313 of 2020 dated 08.06.2020 under Sections 392/397 of the Indian Penal Code read with Sections 25(1-B)(a)/27 of the Arms Act.

And

In Re : Bishal Kundu petitioner

Mr. Parvej Anam

.....for the petitioner

Ms. Z. N. Khan

Ms. Sreeparna Das

..... for the State

Learned Counsel appearing for the petitioner submits that petitioner is in custody for 199 days. It is also submitted that investigation is complete. Co-accused persons are on bail.

Learned Counsel appearing for the State opposes the prayer for bail and submits that stolen property was recovered from the possession of the petitioner.

We have considered the materials on record. In view of extent of complicity of the petitioner in the alleged crime and as co-accused persons are on bail, 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/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Malda, 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.)