

09.12.2020
tkm/ct 28
sl no. 58

C.R.M. 10111 of 2020

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed on 3.3.2020 in connection with Belur P.S. case no. 1 of 2018 dated 1.1.2018 under sections 376/120B/34 of the IPC and sections 6/8/12 of the POCSO Act
and

Allowed

In Re : Mahendar Mahato @ Mahendra Mahato petitioner

Mr. D K Sharma

..... for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

..... for the State

Petitioner renews his prayer for bail and submits that he is in custody for 1051 days. Co-accused persons have been enlarged on bail by this court.

Learned lawyer for the State opposes the prayer for the bail.

Having considered the materials on record and bearing in mind the extent of complicity of the petioter in the alleged crime and as co-accuseds similarly circumstanced with the petitioner have been enlarged on bail and as there is little possibility of the trial concluding in the near future, we are constrained to release the petitioner on bail.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned CJM, Howrah on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM 10111 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)