

18.12.2020
Sl. No.42
akd
[ALLOWED]

C. R. M. 10238 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.12.2020 in connection with Kharagpur GRPS Case No. 91 of 2016 dated 17.05.2016 under Sections 395/397/412/120B of the Indian Penal Code and Sections 25(i)(a)/27/35 of the Arms Act.

And

In Re: ***Rahamatullah Laskar @ Rahamatulla Naskar @ Saheb***
... .. Petitioner

Mr. Ramashis Mukherjee .. Advocate
... .. for the petitioner

Mr. Prasun Kr. Datta .. Advocate
Mr. Pradipta Ganguly .. Advocate
... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than four years. It is further submitted that co-accused has been enlarged on bail.

Learned advocate appearing for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations and as co-accused has been enlarged on bail and petitioner stands on the same footing with the co-accused, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely ***Rahamatullah Laskar @ Rahamatulla Naskar @ Saheb***, 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 Chief Judicial Magistrate, Paschim Medinipur subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders 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 for bail, thus, stands **allowed**.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)