

18.12.2020
Sl. No.43
akd
[ALLOWED]

C. R. M. 10286 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.12.2020 in connection with Belur Police Station Case No. 01 of 2020 dated 01.01.2020 under Sections 302/120B/34 of the Indian Penal Code.

And

In Re: **Rahul Yadav @ Rabi**

... .. Petitioner

Mr. Mrityunjoy Chatterjee .. Advocate

... .. for the petitioner

Mr. Ranabir Roy Chowdhury .. Advocate

Mr. Mainak Gupta .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 285 days. It is further submitted that co-accused persons have been enlarged on bail.

Learned advocate appearing for the State opposes the prayer for bail and submits that prayer for bail of co-accused has been turned down.

We have examined the materials on record. In view of the extent of complicity of the petitioner in the alleged crime and as co-accused persons have been enlarged on bail and petitioner stands on the same footing with the co-accused persons, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely **Rahul Yadav @ Rabi**, 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, Howrah 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.)