

22.12.2020
Sl. No.49
akd
[ALLOWED]

C. R. M. 10397 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.12.2020 in connection with Contai Police Station Case No. 46 of 2019 dated 12.02.2019 under Sections 395/397/412 of the Indian Penal Code.

And

In Re: **Munna Khan**

... .. Petitioner

Mr. Ayan Bhattacharyya .. Advocate

Mr. Anand Kesari .. Advocate

Mr. Sekhar Mukherjee .. Advocate

... .. for the petitioner

Mr. Rudradipta Nandy .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 657 days. It is further submitted that co-accused has been enlarged on bail.

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

We have considered the materials on record. In the facts and circumstances of the case and as co-accused has been enlarged on bail, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Munna Khan**, 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, Purba 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.)