

16.12.2020
Sl. No.81
akd
[ALLOWED]

C. R. M. 10462 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.12.2020 in connection with Tamluk Police Station Case No. 327 of 2017 dated 04.07.2017 under Sections 395/397/412 of the Indian Penal Code.

And

In Re: **Debasish Kar**

... .. Petitioner

Mr. Soumik Ganguli .. Advocate

... .. for the petitioner

Mr. Saibal Bapuli .. Ld. Addl. Public Prosecutor

Ms. Sayanti Santra .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than three years. It is further submitted that co-accused namely, Prasenjit Samanta @ Tiklu has been enlarged on bail.

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

Although allegations are grave, we find that co-accused namely, Prasenjit Samanta @ Tiklu has been enlarged on bail and no steps have been taken to cancel the bail granted to him. Under such circumstances, we are constrained to extend the same privilege to the petitioner also on parity.

Therefore, the accused/petitioner, namely **Debasish Kar**, 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 Additional Sessions Judge, 2nd Court, Tamluk, 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.)