

13.01.2021
Item no.11
Court No.28
Avijit Mitra
Allowed

C.R.M. 192 of 2021 (via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure;

And

In Re : Amal Das

.... petitioner

Mr. Mrityunjay Chatterjee,
Mr. Susnigdha Bhattacharya
....for the petitioner

Mr. Saibal Bapuli,
Mr. Arani Bhattacharyya
..... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Duttapukur Police Station Case No.01 of 2020 dated 01.01.2020 under Sections 436/302/34 of the Indian Penal Code.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the petitioner's name has transpired on the basis of Section 161 statement of the witnesses. Upon completion of investigation, charge sheet has been filed. Two co-accused persons have already been enlarged on bail by a coordinate bench of this Court and in view thereof, further detention of the petitioner is not warranted.

Learned advocate appearing for the State does not dispute the fact that two co-accused, similarly situated with the petitioner had already been granted bail.

Having heard the learned advocates and upon considering the materials in the case diary and since two co-accused persons, similarly situated with the petitioner, had already been granted bail, we are of the opinion that further detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, North 24 Parganas at Barasat and on further condition that the petitioner shall meet with the Officer-in-Charge, Duttapukur Police Station once a week on and from 15th January, 2021.

The application for bail being C.R.M. No.192 of 2021 is, accordingly, allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)