

13.04.2021
Item No.140
Ct.No.28
Subha
Allowed

C.R.M. 1647 of 2021
(Via Video Conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Andal P. S. Case No. 320 of 2020 dated 12-11-2020 under Sections 147/148/149/326/302/307/120B of the Indian Penal Code and Sections 25(1B)(a)/27/35 of the Arms Act.

In the matter of : **Salamat Sk** ... Petitioner.

Mr. Ali Ahsan Alamgir
Ms. Rabia Khatoon

... For the Petitioner.

Mr. Nguive Ahmed
Ms. Amita Gaur

... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with in connection with Andal P. S. Case No. 320 of 2020 dated 12-11-2020 under Sections 147/148/149/326/302/307/120B of the Indian Penal Code and Sections 25(1B)(a)/27/35 of the Arms Act.

Mr. Alamgir, learned advocate appearing for the petitioner is in similar footing with the other accused persons who have been granted bail in CRM 1208 of 2021.

Mr. Ahmed, learned advocate appearing on behalf of the State opposes the prayer for bail of the present petitioner and submits that the present petitioner has been named and his locus standi is similar as one of the accused namely, Krishna Sada, who has been released by a Co-ordinate Bench on 26th March, 2021.

Having regard to the fact that the petitioner is similarly placed with the other accused person, we are inclined to extend the privilege of bail to the present petitioner.

Accordingly, the present petitioner namely, **Salamat Sk.** shall 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 Chief Judicial Magistrate, Durgapur and subject to condition that the said petitioners shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

The petitioner shall stay outside the jurisdiction of the Asansol Durgapur Police Commissionerate and shall meet with the Officer-in-Charge, Andal Police Station once a week until further orders.

The petitioner shall make themselves available before the learned trial court on each and every date of hearing.

In the event he fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

With the aforesaid observations, the application for bail being CRM 1647 of 2021 is, accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)