

148 13.04.2021
rkd Ct. No.28
& (Allowed)
nb

C.R.M. 1675 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chapra** P.S. Case No. **361 of 2018** dated **29/12/2018** under Sections **302/102B/34** of the Indian Penal Code.

And

In the matter of: Din Mohammad @ Santu Biswas
....petitioner.

Mr. Prabir Majumder
...for the petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kumar Datta
...for the State.

The learned counsel for the petitioner submits that the petitioner is similarly circumstanced with seven other co-accused persons who have been granted bail. The petitioner has surrendered before the jurisdictional court and is in custody since 16th October, 2020.

Learned counsel appearing on behalf of the State opposes the prayer for bail and draws the attention of the Court to the statement of witnesses which have been recorded under Section 164 Cr.P.C.

We have considered the materials on record and keeping in mind the aforesaid facts and circumstances of the case and as co-accused persons similarly circumstanced with the petitioner have been granted bail, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner is directed to 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, Krishnagar, Nadia subject to the condition that during bail he shall appear before the learned trial court regularly and he shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that he shall meet the Officer-in-charge of the Chapra Police Station once in a week until further orders and with a further condition to comply with the provisions of Section 437(3) of the Code of Criminal Procedure.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

With the aforesaid observations, CRM 1675 of 2021 is 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.)