

(Via Video Conference)

CRM 3216 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalichak Police Station Case No.697 of 2016 dated 10-10-2016 under Sections 147/148/149/447/307/302 of the Indian Penal Code and Sections 3/4 of the Arms Act.

- A n d -

In the matter of : Jagadish Mandal

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioner.

Mr. Madhusudan Sur, learned APP,
Mr. Dipankar Paramanick

... For the State.

The petitioner, who is in custody for two years and seven months, seeks parity with other co-accused who have been granted bail earlier.

It is further submitted that investigation has culminated in submission of charge-sheet as well as supplementary charge-sheet.

The State produces the Case Diary and refers to the statement of an eyewitness under Section 164 of the Code.

Having considered the material available before us as well as the fact that other co-accused persons similarly circumstanced with the present petitioner have been granted bail earlier by a coordinate Bench of this Court, we are inclined to extend the same privilege to the present petitioner also.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-

(Rupees Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Malda. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. He shall report to the Officer-in-Charge of the local police station once every fortnight.

In the event the petitioner fails to appear before the trial Court without justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM 3216 of 2021 is, thus, **allowed**.

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

(**Suvra Ghosh, J.)**

(**Arijit Banerjee, J.)**