

09.08.2021
Item no. 68
Court No.32.
S.De.
(Allowed)

(Via Video Conference)

CRM 3906 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 04.06.2021 in connection with Tangra Police Station Case No. 271 of 2020 dated 18.10.2020 under Sections 302/307/324/34 of the Indian Penal Code.

And

In the matter of : Sunil Das & Ors.

.....Petitioners.

Mr. Soumya Basu Roy Chowdhury, Advocate,
.....for the Petitioners.

Mr. N. Ahmed, Ld. A.P.P.,
Ms. Trina Mitra, Advocate,
.....for the State.

The petitioners say that they have been in custody for 295 days. They have been falsely implicated.

The alleged offence was committed at the instance of one Anil Das and Ravi Das. They had no role to play in the commission of the alleged offence.

The petitioners submit that two co-accused persons standing on the same footing have been enlarged on bail by a Co-ordinate Bench of this Court by an order dated February 22, 2021 passed in CRM 468 of 2021.

Learned advocate for the State, in his usual fairness, agrees that the co-accused persons who have been granted bail stand on the same footing as the present petitioners.

In view of the aforesaid and also on an over all consideration of the material in the case diary, we are of the view that the prayer of the petitioners may be allowed.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the A.C.J.M., Sealdah and on further conditions that they shall remain within the jurisdiction of the concerned police station and petitioners shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioners 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.

In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)