

23.08.2021

Court No.28
Item No.42
(ALLOWED)

Ab

CRM 4239 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 14.06.2021 in connection with Sonarpur GRPS Police Station Case No. 08 of 2021 dated 02.03.2021 under Sections 399/402 of the Indian Penal Code.

And

In the matter of : **Santu Dhali.**

...Petitioner

Mr. Pinaki Bhattacharya,
Mr. Kushal Das,
Mr. Debjyoti Maity,
Ms. Rajyashree Mukherjee.

...For the Petitioner

Ms. Zareen N. Khan,
Mr. Mirza Firoj Ahmed Begg.

... For the State

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Sonarpur GRPS Police Station Case No. 08 of 2021 dated 02.03.2021 under Sections 399/402 of the Indian Penal Code.

The petitioner was not arrested from the spot and no incriminating material was recovered from him.

We do not find any cogent material in the case diary to hold that the petitioner along with the arrested accused persons assembled at the place of occurrence for the purpose of committing dacoity.

Considering such circumstances, we are inclined to release the

petitioner on bail.

Accordingly, 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 the learned Additional Chief Judicial Magistrate, Sealdah, subject to the condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders.

In the event the petitioner fails to do so without any justifiable cause, the Trial Court shall be at liberty to pass necessary order in accordance with law without any further reference to this Court.

The application for bail, being CRM 4239 of 2021, is thus **allowed.**

(Harish Tandon, J)

(Bibek Chaudhuri, J.)