

01.10.2021

478

Ct. No. 29

KAUSHIK

Allowed

**C.R.M. 4931 of 2021
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Canning** Police Station Case No. **770** of **2016** dated **26.11.2016** under Sections 302/34, 201/34 of the Indian Penal Code, 1860.

And

In Re : Anich alias Anis Ali Gayen

..... petitioner

Mr. Suranjan Mondal

.....for the petitioner

Mr. Neiguive Ahmed

Ms. Amita Gaur

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, two other co-accused were granted bail. He submits that, one of the co-accused was granted bail by the Coordinate Bench and the other by the Jurisdictional Court.

State is represented.

Considering that the petitioner is on the same footing as that of the other two co-accused, who were granted bail, we grant bail to the petitioner.

Accordingly, we direct that the petitioner shall 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 Additional Sessions Judge, 1st Court, Alipore, South 24-Parganas**, subject to the condition

that 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.

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 automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)