

29.09.2021
Serial no.95
Aloke

(Through Video Conference)

CRM 5091 of 2021

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 02.08.2021 in connection with Mothabari Police Station Case No. 83 of 2020 dated 15.02.2020 under Sections 380/395 of the Indian Penal Code.

And

In the matter of : Rohit Chowdhury

...Petitioner

Mr. Arup Kumar Bhowmick, Advocate

... ... For the Petitioner

Mr. Saibal Bapuli, Id. APP

Mr. Bibaswan Bhattacharya, Advocate

... ...For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in the same footing as that of the other co-accused who were granted bail on November 19, 2020.

State is represented.

Considering the fact that the petitioner is on the same footing as that of the other co-accused who were granted bail on November 19, 2020 in the sense that the petitioner was also not produced before the identification parade and that no stolen articles were recovered from the possession of the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Malda, subject to condition that the petitioner shall appear before the jurisdictional court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

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

The application for bail is allowed.

CRM 5091 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)