

30.09.2021

108
Ct. No. 29
KAUSHIK
Allowed

C.R.M. 5103 of 2021
(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chittaranjan** Police Station Case No. **04** of **2021** dated **17.01.2021** under Sections 302/120B/34 of the Indian Penal Code, 1860 read with Section 25/27 of the Arms Act.

And

In Re : Pradip Rajak @ Sonu

..... petitioner

Mr. Sujoy Chakraborty

Ms. Saswati Bhattacharya

.....for the petitioner

Mr. Sudip Kumar Ghosh

Mr. Apurba Kumar Datta

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, the petitioner is not named in any of the statements recorded under Section 161 of the Code of Criminal Procedure. Since the police submitted charge-sheet, further detention of the petitioner is not required.

Learned advocate appearing for the State draws the attention of the Court to the contents of the case diary.

Considering that the involvement of the petitioner, as appearing in the case dairy, and considering the fact that the police submitted charge-sheet, we are of the view that the petitioner is not on the same footing as that of the other accused and, therefore, 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 Chief Judicial Magistrate, Paschim Bardhaman**, 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.)