

09.12.2021
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allowed

**CRM 6054 of 2021
(via video conferencing)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tamluk Police Station Case No. 327 of 2017 dated 04.07.2017 under Sections 395/397/412 of the Indian Penal Code.

And

In Re : Amal @ Khokan Das petitioner

Mr. Soumik Ganguli

.....for the petitioner

Mr. N. Ahmed, learned A.P.P.

..... for the State

It is submitted by the learned Counsel appearing for the petitioner that he is in custody for four and half years. Co-accused persons have been enlarged on bail.

Learned Counsel appearing for the State opposes prayer for bail.

We note that the petitioner stands on the same footing with the co-accused persons who have already been enlarged on bail. Though allegations are grave, the petitioner has suffered detention for a considerable period. Balancing the gravity of the offence on the one hand with the right of speedy trial of the petitioner on the other hand, 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 Additional Sessions Judge,

2nd Court, Tamluk, Purba Medinipur, 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.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)