

10.12.2021
Sl. No.48
akd
[ALLOWED]

C. R. M. 6383 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.09.2021 in connection with Bankura Police Station Case No. 97 of 2021 dated 11.06.2021 under Sections 395/412 of the Indian Penal Code and Section 25(1)(a) of the Arms Act. (G.R. Case No.589 of 2021)

And

In Re: ***Milan Nag Modak @ Babu***

... .. Petitioner

Mr. Sandipan Ganguly .. Sr. Advocate
Mr. L. Vishal Kumar
Mr. Rajnish Kr. Kalawatia
Mr. Santanu Talukdar

... .. for the petitioner

Mr. Rudradipta Nandy

... .. for the State

Leave is granted to the learned advocate-on-record for the petitioner to correct the cause title of the application in course of this day.

It is submitted on behalf of the petitioner that he is in custody for about 180 days. It is further submitted that investigation is complete. It is also submitted that the petitioner was not placed in T.I. parade. Co-accused namely, Debdas Das @ Gopi has been enlarged on bail by a coordinate Bench of this court.

Learned advocate appearing for the State opposes the prayer for bail and submits that the vehicle used to commit dacoity and other stolen articles were recovered from the possession of the petitioner.

We have considered the materials on record. Petitioner's father is the registered owner of the vehicle in question. No T.I. parade with regard to the seized articles was conducted in course of investigation. Petitioner was also not placed in T.I. parade. Co-accused namely, Debdas Das @ Gopi has been enlarged on bail by a coordinate

Bench of this court. In view of the aforesaid facts and the period of detention suffered by the petitioner, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Milan Nag Modak @ Babu***, 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, Bankura subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)