

06.12.2021
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sdas
allowed

CRM 7583 of 2021
(via video conferencing)

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 read with Sections 25/27 of the Arms Act whereby Charge-sheet No. 09 of 2021 dated 16.04.2021 under Sections 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act has already been submitted.

And

In Re : Aditya Shankar Prasad @ Banti petitioner

Mr. Sujoy Chakraborty
Ms. Shashwati Bhattacharjee

.....for the petitioner

Mr. Madhusudan Sur, learned A.P.P.
Mr. Dipankar Paramanick
..... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for 307 days. He has been falsely implicated in the instant case.

Learned Counsel appearing for the State produces the case diary.

We have considered the materials on record including statements of witnesses. It appears therefrom persons riding in a motorcycle had shot at the deceased. Petitioner standing at the place of occurrence. Keeping in mind the extent of complicity of the petitioner in the alleged crime, we are inclined in granting bail to him.

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, 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.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)