

06.12.2021.
76.
as
(Allowed)

C.R.M. 7923 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sonamukhi P. S. Case No.154 of 2015 dated 07.10.2015 under Sections 147/148/149/325/326/302/379 of the Indian Penal Code.

In the matter of : Shyam Ghosh.

.... Petitioner.

Ms. Sonali Das.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 494 days. It is submitted that co-accuseds have been enlarged on bail.

Learned Advocate appearing for the State opposes the prayer for bail and submits that the petitioner had absconded for a period of time.

We have considered the materials on record. Petitioner stands on the same footing with co-accused persons who are on bail. Co-accused Swapan Kr. Ghosh (who had also absconded) has been enlarged on bail in C.R.M.8671 of 2020.

Under such circumstances, we are inclined to extend the same privilege to the petitioner also.

Accordingly, 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 Additional Chief Judicial Magistrate, Bankura subject to condition that the 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application, being C.R.M.7923 of 2021, is disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)