

CRM 8483 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Jagatballavpur** P.S. Case No. **103/2020** dated **09.07.2020** under Sections **302/201/34** of the Indian Penal Code.

And

In the matter of: **Pitu Manna & Anr.**

....Petitioners

Mr. Milon Mukherjee, Sr. Adv.
Mr. Dattatreya Dutta.

...for the Petitioners

Mr. Madhusudan Sur, APP
Mr. Manoranjan Mahata

...for the State.

Petitioners are in custody for 529 days and 450 days respectively. Co-accused Bhaju Santra has been granted bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. There is no direct evidence implicating the petitioners with the murder.

Keeping in mind the extent of complicity of the petitioners in the alleged crime and as co-accused similarly circumstanced with the petitioner has been enlarged on bail, we are inclined to extend same privilege to the petitioners also. The prayer for bail is thus allowed.

Let the petitioners be released on bail upon furnishing a Bond of Rs. 10,000/- each, with two sureties of like amount each one of whom must be local, to the satisfaction of the Learned Chief Judicial Magistrate, Howrah, subject to the condition that they shall appear before the learned trial court regularly on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail is, thus, disposed of.

(Joymalya Bagchi, J.)

(Bivas Pattanayak, J.)