

30.12.2021
SL No.5
Court No.16
GB/SD

CRM 9058 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kaliachak** P.S. Case No.**699/2021** dated **06.07.2021** under Sections **364(A)/365/302/34** of the Indian Penal Code.

And

In the matter of: **Samim Sk.**

....Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. S. Bhattacharyya,
Mr. D. Mondal,
Mr. S.B. Roy.

...for the Petitioner.

Mr. Anowar Hossain,
Mrs. Debjani Sahu.

...for the State.

The petitioner is in custody for a period of six months.

Having considered the statements of the accused persons, the fact that two of the accused persons, who apparently are in the same footing as the petitioner have not been charge-sheeted although allegations have been made against all of them in the statements of the witnesses recorded under Section 161 of the Code of Criminal Procedure as also before the learned Magistrate recorded under Section 164 of the Code, this Court is of the opinion that the prayer for bail be allowed.

Accordingly, the petitioner is directed to be released on bail upon furnishing a bond of Rs. 20,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Chief Judicial Magistrate, Malda subject to the condition that during bail he shall appear before the learned trial court regularly on every date so fixed and he shall not intimidate witnesses or tamper with evidence in any manner.

In the event the petitioner fails 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.

(Bibhas Ranjan De, J.)

(Shampa Sarkar, J.)