

15.03.2021.
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(Allowed).

***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

CRM 267 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.02.2021 in connection with Sessions Case No.06 of 2015 arising out of Dhupguri Police Station Case No. 415 of 2014 dated 18.09.2014 under Sections 363/366A/371/120B/34 of the Indian Penal Code.

In the matter of : Jagadish Prasad

... Petitioner.

Mr. Sayan De,
Mr. Sampad Das,
Ms. Esha Acharya

...for the Petitioner.

Mr. Arun Kumar Sarkar,
Mr. Abhijit Sarkar

.....for the State.

Heard learned counsel appearing for the parties.

Learned counsel for the petitioner submits that the petitioner is in custody for about seven years.

Learned counsel appearing for the State opposes the prayer for bail.

Having considered the materials on record and in view of the fact that the petitioner has already undergone more than half of the maximum period of detention that may be imposed upon him, the prayer for bail of the petitioner is allowed.

Accordingly, the petitioner, namely, Jagadish Prasad, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each, to the satisfaction of the Additional First Fast Track Court, Jalpaiguri, subject to condition that the petitioner shall appear before the trial court on every date of hearing and shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the court or to any police officer 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.

This application, being CRM 267 of 2021, is disposed of.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)