

22.02.2022
Serial no. 37
Aloke
Ct. No. 29

CRM (DB) 512 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 16.02.2022 in connection with Bantra P.S. Case No. 116 of 2010 dated 24.10.2010 under Sections 395/397/412 of the Indian Penal Code and Sections 25 and 27 of the Arms Act.

-And-

In the matter of: Denobandhu Debnath

... ...Petitioner

Mr. Soumya Basu Roy Chowdhuri, Advocate

... ... For the Petitioner

Mr. Saibal Bapuli, Id. APP

Mr. Arani Bhattacharyya, Advocate

... ...For the State

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that other co-accuseds standing in the same footing were granted bail by the Coordinate Bench. The petitioner is in custody in excess of 11 years 4 months.

Learned Advocate appearing for the State submits that 37 prosecution witnesses were examined. The next date for evidence is fixed on 23.02.2022.

Considering the fact that the petitioner is placed in the same footing as that of other co-accuseds who were granted bail by the Coordinate Bench and considering the period of detention of the petitioner and considering the fact that most of the prosecution witnesses were examined and that there is hardly any possibility of the petitioner influencing any witness of the prosecution, we are inclined to grant bail to the petitioner.

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, Howrah, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/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 the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is allowed.

CRM (DB) 512 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)