

07.04.2022

Serial no. 39

[Dd]

(Bail **allowed**)

CRM (DB) 902 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Sonamukhi** Police Station Case No. **158 of 2021** dated **26.11.2021** under Sections **341/323/307/325/34** of the Indian Penal Code and after filing of charge sheet under Sections **341/323/307/325/34/302** of the Indian Penal Code.

-And-

In the matter of : Milan Bauri & Anr.

... .. Petitioners

*Mr. Samiran Mandal,
Mr. Abhinaba Dan, Advocates
... .. For the Petitioners*

*Mr. Ranabir Ray Chowdhury,
Mr. Mainak Gupta, Advocates
... ..For the State*

Petitioners seek bail.

Learned advocate appearing for the petitioners submits that the petitioner is in custody for 129 days. The police filed charge sheet and, therefore, further detention of the petitioners is not required.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. He in his usual fairness submits that the statement recorded under Section 164 of the Criminal Procedure Code of the eye-witness does not attribute any specific role to the petitioners herein.

Considering the period of detention of the petitioners and considering the materials in the case diary and considering the fact that police filed charge sheet, we are inclined to grant bail to the petitioners.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the **Learned Additional Chief Judicial Magistrate, Bishnupur, Bankura** subject to condition that the petitioners 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 petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioners in accordance with law without further reference to this Court.

The prayer for bail of the petitioners is **allowed**.

CRM (DB) 902 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)