

10.06.2022
tkm/ct 28
sl no. 44

C.R.M. (DB) 1537 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Malipanchghora P.S Case no. 35 of 2021 dated 27.2.2021 under sections 302/506/120B IPC and sections 25(1B)/27 of the Arms Act
And

Allowed

In Re : Shahid Ansari petitioner

Mr. Milon Mukherjee, Sr Adv
Mr. B Manna
Mr. S Basu Roy Chowdhury
..... for the petitioner
Mr. N Ahmed
Ms. Trina Mitra
..... for the State
Mr. Ramashis Mukherjee
Mr. R Sinha
..... for the de facto

Petitioner renews his prayer for bail. It is submitted co-accuseds have been granted bail. He is not the principal accused.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner had instigated the murder.

Learned lawyer for the de facto complainant also opposes the prayer for bail.

Having considered materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime and as he does not appear to be the principal accused and since co-accuseds have been granted bail by a co-ordinate Bench of this court, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount

each, one of whom must be local, to the satisfaction of the learned CJM, Howrah, on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 1537 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)