

15.06.2022
101
sdas
allowed

CRM(DB) 1761 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Salar Police Station Case No. 216 of 2021 dated 31.10.2021 under Sections 302/34 of the Indian Penal Code and Sections 3/4 of Explosives Act.

And

In Re : Jaynal Sk. alias Sekh Jaylal alias Joylal Sk. petitioner

Mr. Shataroop Purokayantha
Ms. Jagriti Bhattacharya

.....for the petitioner

Mrs. Zareen N. Khan
Mr. Arup Sarkar

..... for the State

Learned Counsel appearing for the petitioner submits that he is in custody for 224 days. It is also submitted that he is not the principal accused.

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

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime in the light of the submission that he is not the principal assailant and as there is hardly any progress in the matter since the last rejection of bail by this Court, we are inclined to grant bail to him.

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 Additional Chief Judicial Magistrate, Kandi, Murshidabad, subject to the 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 application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)