

15.06.2022
102
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Allowed

C.R.M. (DB) 1763 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No. 102 of 2018 dated 02.03.2018 under Sections 302/201/34 of the Indian Penal Code and now charge-sheet submitted under Sections 302/201/307/34 of the Indian Penal Code.

And

In Re : Aowal Mallick @ Awal @ Vasan petitioner

Mr. Partha Pratim Das
Mr. Asraf Mandal

.....for the petitioner

Mr. Neguive Ahmed, learned A.P.P.
Ms. Ayantika Roy

....for the State

It is submitted by the learned Counsel appearing for the petitioner that he is in custody for 307 days and the co-accuseds have been granted bail.

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

Keeping in mind the facts and circumstances of the case and as co-accuseds, similarly circumstanced with the petitioner, are on bail, we are inclined to extend the same privilege to the petitioner also.

Accordingly we direct that the petitioner shall 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 Additional Chief Judicial Magistrate, Tehatta, on condition that the petitioner will not enter the subdivision of Tehatta until further orders save and except for attending Court proceedings and he will furnish the particulars of the address where he shall be residing to his concerned police station and the petitioner shall meet the concerned Officer in Charge of the said police station once in a week until further orders and on condition that during bail petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and attend court regularly and face the trial.

In the event violation of any such conditions, the trial court shall be at liberty to cancel his bail without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)