

16.06.2022
cm/ct 28
sl no. 46

C.R.M. (DB) No.1765 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Tehatta P.S Case No. 103 of 2018** dated **03.03.2018** under Sections **302/201/34** of the Indian Penal Code and Section 25/27 of the Arms Act and charge sheet submitted under Sections 302/201/307/34 of the Indian Penal Code.

And

Allowed

In Re : Aowal Mallick @ Vasan @ Awal

..... petitioner

Mr. Arindam Jana
Mr. Asraf Mandal

..... for the petitioner

Mr. Saibal Bapuli, Ld. A.P.P.
Mr. Bibaswan Bhattacharyya

..... for the State

Petitioner is in custody for 308 days. He submits that co accuseds have been granted bail.

Learned lawyer for the State opposes the prayer for bail

We have considered the materials on record. Petitioner stands on the same footing with co accuseds who have been enlarged on bail.

Keeping in mind the extent of complicity of the petitioner in the light of the aforesaid submission of fact and the period of detention suffered by him i.e. 308 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing bonds of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Tehatta, Nadia 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 petitioner fail 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) No. 1765 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)