

04.07.2022.
08.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1846 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali P. S. Case No.569 of 2020 dated 27.10.2020 under Sections 341/326/307/34 of the Indian Penal Code.

In the matter of : Samar Sarkar.

.... Petitioner.

Ms. Sananda Bhattacharyya.

...for the Petitioner.

Mr. Tanmoy Kr. Ghosh,

Ms. Sonali Bhar.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 73 days. It is contended over the self-same incident two criminal cases were registered being Hanskhali P.S. Case No.569 of 2020 (the present case) and Hanskhali P.S. Case No.571 of 2020 respectively. Petitioner has been enlarged on bail by this Court in Hanskhali P.S. Case No.571 of 2020 vide order dated 16.6.2022 in CRM (DB) 1774 of 2022. He prays for bail in the present case.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner has already been released on bail in the other case which was registered over the self-same incident in CRM (DB) 1774 of 2022. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner i.e. 73 days, we are inclined to grant bail to the petitioner.

Accordingly, 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, Ranaghat, Nadia subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses 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 his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)