

22.06.2022
cm/ct 28
sl no. 44

C.R.M. (DB) No. 1946 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Chitpore P.S Case No. 11 of 2021** dated **23.01.2021** under Section **302/34** of the Indian Penal Code and read with Section **25(1B)(a)/27** of the Arms Act, 1959.

And

Allowed

In Re : Md. Ibrahim

..... petitioner

Mr. Sekhar Basu, Ld. Sr. Adv.

Mr. Arindam Jana

Mr. Akashdeep Mukherjee for the petitioner

Mr. Neguive Ahmed

Ms. Trina Mitra for the State

Petitioner is in custody for 107 days. He submits that co-accuseds have been granted bail by a coordinate Benches of this court.

Learned Additional Public Prosecutor for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is not the principal accused. He stands on the same footing with co-accuseds who have been enlarged on bail. Under such circumstances, we are inclined to extent the same privilege to the petitioner also.

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, Sealdah on condition that 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 the 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.1946 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)