

22.06.2022.
51.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1956 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nabagram P. S. Case No.242 of 2021 dated 20.09.2021 under Sections 304/34 of the Indian Penal Code

In the matter of : Bikash Das.

.... Petitioner.

Mr. Somnath Adhikary,
Mr. Abdur Rakib,
Mr. Biswajit Sarkar.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharya.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 106 days. It is submitted co-accuseds have been granted bail.

Learned Advocate for the State opposes the prayer for bail and produces the Case Diary.

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioner in the alleged crime and as co-accuseds similarly circumstanced with petitioner have been enlarged on bail, we are inclined to extend the same privilege to the petitioner also.

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, Lalbagh,

Murshidabad 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.)