

27.06.2022
tkm/ct 28
sl no. 44

C.R.M. (DB) 2030 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Entally P.S case no. 276 of 2021 dated 14.8.2021 under sections 302/34 IPC
And

Allowed

In Re : Asish Soni petitioner

Ms. Sreyashee Biswas
Ms. P Goswami

..... for the petitioner

Mr. R D Nandy
Ms. Sonali Das

..... for the State

During hearing of this application an inadvertent error in order dated 10.6.2022 in CRM (DB) 1038 of 2022 is noted. The word '9½ years' in the first line of the said order be read as '9½ months'.

It is contended on behalf of the petitioner that he is not the principal accused. A large number of persons had chased the victim who was a thief. Two of them assaulted him resulting in his death. Co-accuseds have been granted bail in CRM (DB) 1038 of 2022.

Learned lawyer for the State opposes the prayer for bail.

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

Accordingly, the petitioner 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 ACJM Sealdah, South 24 Parganas 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 he fails 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) 2030 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)