

07.07.2022.
16.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2120 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ghatal P. S. Case No.88 of 2019 dated 01.04.2019 under Sections 392/397/412 of the Indian Penal Code.

In the matter of : Muglesur Khan @ Mukleswar Khan
@ Muglesur.

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.

...for the Petitioner.

Mr. Saibal Mondal,
Mr. Antarikhya Basu,
Ms. Chandreyee Dutta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 100 days. It is contended no stolen article was recovered from his possession. Co-accuseds are on bail.

Learned Advocate for the State opposes the prayer for bail. He submits stolen article was recovered from a co-accused who implicated the petitioner.

We have considered the materials on record. No stolen article was recovered from his possession. No T. I. Parade was held to identify the petitioner during investigation. Keeping in mind the extent of complicity of the petitioner in the alleged crime and the period of detention suffered by the petitioner, 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, Ghatal, Paschim Medinipur 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.)