

18.07.2022
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allowed

CRM(DB) No. 2346 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Amdanga Police Station Case No. 388 of 2018 dated 29.08.2018 under Sections 147/148/149/427/326/302/201/120B of the Indian Penal Code read with Sections 25/27 of the Arms Act and Section 9B(ii) of Indian Explosive Act.

And

In Re : Saukat Ali Balluk petitioner

Mr. Uday Sankar Chattopadhyay
Mr. Suman Sankar Chatterjee
Mr. Santanu Maji
Ms. Trisha Rakshit

.....for the petitioner

Mr. Nguive Ahmed, learned APP
Ms. Zareen N. Khan
Ms. Trina Mitra

..... for the State

Petitioner renews his prayer for bail.

Learned Counsel appearing for the petitioner submits that petitioner is in custody for 199 days. It is also submitted that co-accuseds are on bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses do not ascribe any specific overt act to the petitioner. Co-accuseds are on bail. There is hardly any progress in the matter since last rejection of bail by this Court.

Under such circumstances and in view of period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, North 24 Parganas at Barasat, on conditions that he shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)