

22.07.2022
Sl. No.31
akd
[ALLOWED]

C. R. M. (DB) 2415 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.07.2022 in connection with Garhbeta Police Station Case No. 229 dated 27.04.2022 under Sections 505(1)(b)/505(2)/506/507/120B/489D/489C of the Indian Penal Code and Sections 25/27 of the Arms Act. (G.R. Case No.305 of 2022)

And

In Re: ***Sitanath Mahata @ Mohan & Ors.***

... .. Petitioners

Mr. Navanil De
Mr. Rajeshwar Chakraborty
Mr. Srinjan Ghosh
Mr. Subhrajit Dey

... .. for the petitioners

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mrs. Sonali Das
Mrs. Sreeparna Das

... .. for the State

It is submitted on behalf of the petitioners they are in custody for about 84 days. It is further submitted petitioner is not the principal accused.

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

We have considered the materials on record. No fake Indian currency note was recovered from the petitioner. He does not appear to be the principal accused. Keeping in mind the extent of complicity of the petitioner in the alleged crime and the period of detention suffered by him, we are of the opinion further detention of the accused/petitioners is not necessary.

Therefore, the accused/petitioners, namely **(1) Sitanath Mahata @ Mohan, (2) Prasenjit Kabiraj & (3) Chandan Karmakar @ Madan**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount

each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Garhbeta, Paschim Midnapore subject to condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)