

22.07.2022
37
sdas
allowed

CRM(DB) No. 2421 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bagdah Police Station Case No. 424 of 2022 dated 08.06.2022 under Sections 143/186/333/353/188/307/341/290/120B of the Indian Penal Code read with Section 9 of M.P.O. and Section 3 of the Prevention of Damage to Public Property Act.

And

In Re : Sadhan Ghosh petitioner

Ms. Susnigdho Bhattacharyya
.....for the petitioner

Mr. Neguive Ahmed, learned A.P.P.
Mr. Iqbal Kabir
Ms. Trina Mitra
..... for the State

Liberty is given to the learned Counsel appearing for the petitioner to correct the cause title.

Learned Counsel appearing for the petitioner submits that petitioner is in custody for 45 days. It is also submitted that co-accuseds have been enlarged on bail.

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

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioner in the 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.

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 Additional Chief Judicial Magistrate, Bongaon, North 24 Parganas, 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 automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)