

28.07.2022
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allowed

CRM(DB) No. 2442 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bagnan Police Station Case No. 295 of 2021 dated 15.06.2021 under Sections 379/411/414/427/120B of the Indian Penal Code read with Sections 15/16 of the Petroleum and Mineral Pipe Line (Acquisition of Right of user in Land Act), 1962 and Sections 3/4 of P.D.P.P. Act and Sections 3/4 of Explosive Substances Act, 1908.

And

In Re : Ajay Singh @ Ajoy Singh petitioner

Ms. Devi Priya Mitra

.....for the petitioner

Mr. Rudradipta Nandy, learned APP

Ms. Sreeparna Das

..... for the State

Mr. A. Datta

Mrs. S. Ghosh

Mr. S. Bhattacharya

.... for the de facto complainant

Learned Counsel appearing for the petitioner submits that petitioner is in custody for over 400 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. Co-accuseds are on bail. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to extend the same privilege to the petitioner also.

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, Uluberia, Howrah, subject to the condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/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 the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)