

31.08.2022
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allowed

CRM(DB) No. 2939 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pingla Police Station Case No. 22 of 2022 dated 27.01.2022 under Sections 341/323/324/326/307/120B of the Indian Penal Code and adding Section 365 of the Indian Penal Code.

And

In Re : Sk. Moidul @ Laltu petitioner

Mr. Suman Das Adhikary
.....for the petitioner

Mr. Prasun Kumar Datta, learned APP
Mr. Santanu Deb Roy
..... for the State

Learned Counsel for the petitioner submits he is in custody for 200 days. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. Petitioner is not the principal assailant. Keeping in mind the extent of complicity of the petitioner and bearing in mind the period of detention suffered by him, we are inclined in granting bail to him.

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, Paschim Medinipur, on condition 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)