

02.09.2022
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allowed

CRM (DB) No. 2969 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 the West Bengal Maintenance of Public Order Act and Section 3 of the Prevention of Damage to Public Property Act.

And

In Re : Swarup Ghosh alias Tubai & Anr. petitioners

Mr. Susnigdho Bhattacharyya
.....for the petitioners

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta
..... for the State

Learned Counsel appearing for the petitioners submits petitioners are in custody for 27 days. Co-accuseds have been enlarged on bail.

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

We have considered materials on record. Petitioners stand on the same footing with the co-accuseds who have been enlarged on bail. In view of the aforesaid, we are inclined to extend the same privilege to the petitioners also.

Accordingly, we direct that the petitioners shall 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, Bongaon, North 24

Parganas, subject to the condition that they shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)