

05.09.2022
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allowed

CRM(DB) No. 2990 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala Police Station Case No. 5 of 2020 dated 04.01.2020 under Sections 147/148/149/186/188/353/427/435/436/34 of the Indian Penal Code.

And

In Re : Manik Roy petitioner

Ms. Sananda Bhattacharyya
.....for the petitioner

Mr. Swapan Banerjee
Mr. Anindya Sundar Chatterjee
..... for the State

Learned Counsel for the petitioner submits he is in custody for 42 days. It is also submitted that there was a commotion with regard to grant of bail to an accused in a criminal case. Co-accuseds have been granted pre-arrest bail.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. There was an impromptu agitation with regard to grant of bail to an accused in a criminal case relating to rash driving. Allegations against the petitioner are general and omnibus in nature. Co-accuseds have been granted anticipatory bail. Under such circumstances, we are inclined to grant bail 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, Ranaghat, Nadia, 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.)