

05.12.2022
Sl. No.2
akd
[ALLOWED]

C. R. M. (DB) 3007 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.08.2022 in connection with Binpur Police Station Case No. 12 of 2010 dated 15.02.2010 under Sections 121/121A/122/124A/120B/302 of the Indian Penal Code and Sections 20/16(1)(a)/16(1)(b)/18/38/39 of the Unlawful Activities (Prevention) Act, 1967, Sections 3/ 4 of the Explosive Substances Act and Section 25(1)(b) of the Arms Act. (G.R. Case No.140 of 2010)

And

In Re: ***Buddhadev Mahata @ Buddhaswar Mahato***

... .. Petitioner

Mr. Soumik Ganguli
Mr. Dilip Kumar Sadhu
Mr. Sourat Nandy
Mr. Avik Kumar Das

... .. for the petitioner

Mr. Nequive Ahmed .. Id. Addl. Public Prosecutor
Ms. Ayantika Roy

... .. for the State

Report with regard to the health of the petitioner is placed on record. From the medical report it appears petitioner is suffering from CKD/Chronic Glomerulonephrities. He requires regular dialysis. He is presently admitted at Sambhunath Pandit Hospital for better medical treatment and management.

In view of the precarious health condition of the petitioner and as institutional treatment is necessary, we are inclined to enlarge him on bail on health grounds.

Therefore, the accused/petitioner, namely ***Buddhadev Mahata @ Buddhaswar Mahato***, 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 subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders personally or through his

learned advocate, if he is unable to do so due to health reasons, and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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 reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)