

06.01.2022  
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sdas  
allowed

**CRM 8874 of 2021  
(via video conferencing)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Asansol Police Station Case No. 318 of 2020 dated 06.10.2020 under Sections 302/506/34 of the Indian Penal Code.

And

In Re : Md. Ishtiaque Hussain @ Sonu & Anr. .... petitioners

Mr. Sekhar Kumar Basu, Sr. Adv.  
Mr. Sagnik Mukherjee

.....for the petitioners

Mr. Madhusudan Sur, learned APP  
Mr. Dipankar Paramanick

..... for the State

It is submitted by the learned senior Counsel appearing for the petitioners that they are in custody for 338 days. It is further submitted that co-accused Md. Naushad Hussain @ Mungary @ Mungari has been enlarged on bail.

We have considered material on record. Keeping in mind the extent of complicity of the petitioners in the alleged crime and as co-accused Md. Naushad Hussain @ Mungary @ Mungari has been enlarged on bail, we are inclined to extent 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 Chief Judicial Magistrate, Paschim Bardhaman, subject to the condition that the petitioner 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.

**(Bibhas Ranjan De, J.)**

**(Joymalya Bagchi, J.)**