

23.09.2022
Sl. No.13
akd
[ALLOWED]

C. R. M. (DB) 3220 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.09.2022 in connection with Khanakul Police Station Case No.179 of 2021 dated 04.05.2021 under Sections 147/148/448/302/354(B)/427/379/506 of the Indian Penal Code read with Sections 3/4 of the Explosive Substances Act. (G.R. Case No.512 of 2021)

And

In Re: ***Ganesh Dewan & Ors.***

... .. Petitioners

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

... .. for the petitioners

Mr. Neaguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Trina Mitra

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about 82 days. It is further submitted co-accuseds have been enlarged on bail.

Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioners had absconded for a considerable period of time.

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

Therefore, the accused/petitioners, namely **(1) Ganesh Dewan, (2) Tapan Malik, (3) Bhola Paramanik @ Vola, (4) Sk. Kalimuddin, (5) Subhankar Paramanik @ Nipu, (6) Sanat Dewan @ Guye, (7) Kousik Dolui, (8) Bapan Malik, (9) Biswajit Chatterjee &**

(10) Sanatan Singh @ Sona 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, Arambagh, Hooghly subject to condition that the said petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioners, while on bail, shall not enter the jurisdiction of Khanakul Police Station except for the purpose of investigation and/or for attending court proceedings and shall provide the address where they shall presently reside to the Investigating Agency as well as the court below and shall report to the Officer-in-charge of the concerned police station within whose jurisdiction they shall presently reside once in a week until further orders.

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

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)