

28.09.2022  
tkm/ct 28  
sl no. 40

**C.R.M. (DB) 3305 of 2022**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bamongola P.S case no. 124 of 2022 dated 12.5.2022 under sections 412/120B/395 of the IPC  
and

**Allowed**

In Re : Gopal Ghosh ..... petitioner

Mr. Amitabha Karmakar  
Mr. A K Bhowmick

..... for the petitioner

Mr. Swapan Banerjee  
Ms. P Ghosh

..... for the State

Petitioner is in custody for 110 days. It is submitted on behalf of the petitioner he was not put up for identification during investigation. No stolen property was also recovered from his possession. He prays for bail.

Learned lawyer for the State opposes the prayer for bail and submits on the leading statement of the petitioner co-accuseds residing in a different state were arrested. Petitioner has criminal antecedents.

We have considered materials on record. Petitioner was not put up for identification during investigation. No stolen property was recovered from his possession. Investigation is complete.

Under such circumstances we are of the opinion no fruitful purpose would be served to prolong the under-trial detention of the petitioner and he may be granted bail.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local to the satisfaction of the learned CJM, Malda on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall meet the officer in charge of Malda P.S once in a week until further order.

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 being CRM (DB) 3305 of 2022 is disposed of.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**