

29.09.2022
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allowed

CRM(DB) No. 3372 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Palashipara Police Station Case No. 79 of 2020 dated 20.04.2020 under Sections 341/447/325/326/307/34 of the Indian Penal Code and added Section 302 of the Indian Penal Code.

And

In Re : Biswanath Biswas petitioner

Mr. Shataroop Purkayastha

Ms. Jagriti Bhattacharya

Ms. Sabera Khatun

.....for the petitioner

Mr. N. Ahmed, learned APP

Mr. Iqbal Kabir

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 109 days. Co-accuseds are on bail. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. Petitioner stands on the same footing with co-accuseds who are on bail.

Under such circumstances, we are inclined to grant bail to him.

Accordingly we direct that the petitioner shall 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 Additional Chief Judicial Magistrate, Tehatta, Nadia, subject to 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 petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)