

CRM (DB) No. 3532 of 2022

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bhimpur Police Station Case No. 267 of 2020 dated 25.10.2020 under Sections 341/326/307/302/34 of the Indian Penal Code.**

- A n d -

In the matter of : Badrinath @ Bhutta Ghosh & Ors.

.... Petitioners

Mr. Kalyan Kumar Bhattacharjee

... For the Petitioners

Mr. Arijit Ganguly

Mr. Avik Ghatak

..For the State

We have considered the fact that one of the 5 (five) co-accused was released on bail by a coordinate Bench on 25th March, 2021 and the petitioners have been in custody for 723 days. There is further been no progress in the matter after submission of the charge-sheet on 15th January, 2021 and framing of charges thereafter. The case diary placed before us shows that the person released on bail on 25th March, 2021 was on the same footing as the petitioners before us in the present application.

We are hence inclined to allow the application for bail.

The learned advocate for the State opposes the prayer for bail.

We accordingly direct the petitioners 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 (in each of the petitioners' case) shall be local and to the satisfaction of the learned Chief Judicial Magistrate, Krishnagar. The Petitioners shall not leave the jurisdiction of the local police station without the leave of the authorities and shall not tamper with evidence or intimidate witnesses. The petitioner shall also cooperate with the investigation and appear before the investigating authority as and when petitioners are called to do so.

The learned Court below shall be at liberty to cancel the bail of the petitioners in the event it is found that the petitioners not complied with the conditions stated above.

CRM (DB) 3532 of 2022 is allowed.

(Saugata Bhattacharyya, J.)

(Moushumi Bhattacharya, J.)