

CRM (DB) No. 3530 of 2022

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kalyani Police Station Case No. 247 of 2020 dated 31.07.2020 under Sections 302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.**

- A n d -

In the matter of : Gopal Chandra Ghosh

.... Petitioner

Mr. Soubhik Mitter

Mr. Kalyan Kr. Bhattacharya

... For the Petitioner

Mr. Arijit Ganguly

Mr. Sanjib Kr. Dan

..For the State

Although an earlier application of the petitioner was rejected by a coordinate Bench of this Court, considering the fact that the main co-accused are already on bail, we are inclined to allow the present application. We have gone through the materials placed before us which record that the petitioner was not the principal accused in causing the death of the victim. Accordingly, the prayer for bail is allowed.

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

The petitioner shall 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 must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kalyani. Petitioner shall also not tamper

with evidence or intimidate witnesses and shall also not leave the local jurisdiction of the police station without leave of the authorities. The petitioner shall also make himself available as and when required for further investigation.

In the event, the petitioner fails to comply with above conditions, the learned Court below shall be at liberty to cancel the bail without further reference to this Court.

CRM (DB) 3530 of 2022 is allowed.

(Saugata Bhattacharyya, J.)

(Moushumi Bhattacharya, J.)