

14.10.2022

CRM(SB) 249 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **11/10/2022** in connection with **Sonarpur P. S. Case No. 694/20** dated **02/09/2020** under Sections 341/195A/506(ii) of the Indian Penal Code.

And

In the matter of: - **Soumen Kayal**

....petitioner.

Mr. Angshuman Chakraborty,
Mr. Shashanka Shekher Saha,

...for the petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Maji,

...for the State.

Mr. Shamik Bagchi

.... For the de facto complainant

Heard learned counsel for the parties.

The de facto complainant is also represented.

The allegation against the petitioner is under Sections 341/195A/506(ii) of the Indian Penal Code corresponding to G. R. case no.4921 of 2020.

The petitioner has been granted bail in an earlier case filed against him under Section 302 of the Indian Penal Code and prayer for cancellation of the said bail was turned down by the Learned Sessions Court.

The petitioner is in custody for 155 days and prays for bail.

Having heard learned counsel for the parties and considering the material on record, this Court is of the view that since the petitioner has been enlarged on bail in the earlier case under

Section 302 of the Indian Penal Code amongst other provisions and considering the period of detention of the petitioner and also the fact that charge-sheet has been submitted, further detention of the petitioner is not necessary.

Accordingly, the petitioner namely, **Soumen Kayal** 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 Chief Judicial Magistrate, South 24 parganas subject to condition that he shall appear before the trial Court once a week until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

CRM 249 of 2022 is thus disposed of.

All parties shall act on the server copy of this order duly obtained from the official website of this Court.

(Suvra Ghosh, J.)