

03.11.2022
tkm/ct 28
sl no. 57

C.R.M. (DB) 3607 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Nakashipara P.S case no. 221 of 2022 dated 29.3.2022 under sections 341/325/326/307/302/34 of the IPC
and

Allowed

In Re : Suku Shaikh @ Sk & Anr.

..... petitioners

Mr. S Das Mahapatra
Mr. Amanul Islam
Mr. S Mukherjee

..... for the petitioners

Mr. Pravas Bhattacharya
Mr. Suman De

..... for the State

Petitioner no. 1 renews his prayer for bail. Petitioner no. 2 also prays for bail. They are in custody for 212 days. It is contended co-accuseds Tipu and Abbas have been enlarged on bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Petitioners stand on the same footing with co-accuseds who have been enlarged on bail. They are not the principal assailants.

Under such circumstances, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned CJM, Nadia on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever

In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 3607 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)