

20.10.2022
05
NB/AGM
(Allow)

CRM (DB) 3774 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Moyna P.S. Case No. 05 of 2022 dated 10.01.2022 corresponding to G.R Case No.96 of 2022 under Sections 147/ 148/ 149/ 323/ 324/ 342/ 354/ 354B/ 379/448/506 of the Indian Penal Code.

In the matter of : Totan Maity & Ors. ... petitioners.

Mr. Rajdeep Mazumdar,
Mr. Moyukh Mukherjee,
Mr. Pritam Roy,
Ms. Shyanti Poddar. ...for the petitioners.

Mr. Madhusudan Sur,
Mr. R. D. Nandi,
Mr. Dipankar Paramanick. ..for the State.

The accused persons/petitioners were shown arrested in connection with Moyna Police Case No.05 of 2022 dated 10th January, 2022 under Sections 147/ 148/ 149/ 323/ 324/ 342/ 354/ 354B/ 379/448/506 of the Indian Penal Code.

Having heard the learned advocate for the parties and on careful perusal of the case record, it is ascertained that the petitioners were not named in the First Information Report. They were booked in connection with the above-mentioned case on the basis of the statement recorded by the Investigating Officer of two witnesses on 10th September, 2022. The petitioners' involvement was stated in a belated statement after about ten months. Most of

the co-accused persons were named in the First Information Report are on bail.

Considering the materials in case diary and complicity as against the present petitioners, we are of the view that they are entitled to release on bail.

Accordingly, the petitioners are released on bail upon furnishing a bond of Rs.10,000/- with one surety of like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Purba Medinipur on further condition that if on bail, they must attend the jurisdictional police station or the Investigating Officer once in a fortnight till the completion of the investigation.

The instant application for bail being, CRM (DB) 3774 of 2022, is thus allowed.

(Bibek Chaudhuri, J.)

(Biswaroop Chowdhury, J.)