

04.11.2022.
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(Allowed)

C.R.M. (DB) 3849 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliganj P. S. Case No.308 of 2022 dated 17.05.2022 under Section 364A of the Indian Penal Code.

In the matter of : Sukanta Karmakar.

.... Petitioner.

Mr. Navanil De,
Mr. Rajeshwar Chakraborty,
Mr. Srinjan Ghosh,
Mr. Subhrajit Dey.

...for the Petitioner.

Mrs. Anasuya Sinha,
Ms. Subhasree Patel.

...for the State.

Petitioner is in custody for 158 days. It is contended he has been falsely implicated in the instant case. There is no electronic evidence with regard to the ransom demands made by the petitioner.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Prosecution case is to the effect there were recordings of ransom demand made by the accuseds over mobile phone. No electronic evidence in support of such accusation is placed on record.

In view of the aforesaid circumstances and the period of detention suffered by the petitioner i.e. 158 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnanagar subject to condition that he shall appear before the trial court on every date of hearing 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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)