

07.11.2022
tkm/ct 28
sl no. 79

C.R.M. (DB) 3885 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gangarampur P.S case no. 23 of 2021 dated 19.1.2022 under sections 341/326/307/302/34 IPC read with sections 25(1A)(1B)/27(3) of the Arms Act and sections 3/4 of the Explosives Substances Act and charge sheet has been submitted under sections 341/326/307/302/34 IPC and sections 3/4 of the Explosive Substances Act

and

Allowed

In Re : Manoj Debsingha

..... petitioner

Ms. J Rudra
Mr. T Kumail

..... for the petitioner

Mr. N Ahmed
Ms. Trina Mitra

..... for the State

Petitioner is in custody for 601 days. It is submitted on his behalf that he is not the principal accused and co-accuseds are on bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner does not appear to be the principal accused who shot the victim. Co-accuseds similarly circumstanced with the petitioner are on bail.

Keeping in mind the aforesaid circumstances and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM, Gangarampur at Buniadpur on condition that the petitioner 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 3885 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)