

09.11.2022
tkm/ct 28
sl no. 42

C.R.M. (DB) 3902 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. 975 of 2013 dated 11.12.2013 under sections 498A/302/34 of the IPC
and

Allowed

In Re : Kalu Sk.

..... petitioner

Mr. K Hasan

..... for the petitioner

Mr. S G Mukherjee, ld PP

Mr. P P Das

Mrs. Manasi Roy

..... for the State

Petitioner renews his prayer for bail. He is in custody for 244 days. It is contended co-accuseds are on bail. There is no progress in the matter since rejection of bail by this court in May 2022.

Learned lawyer for the State opposes the prayer for bail and submits date has been fixed for recording evidence. Petitioner had absconded.

We have considered the materials on record. Petitioner stands on the same footing with co-accuseds who are on bail. There is no development of the case since rejection of bail by this court.

Under such circumstances, we are inclined to grant bail to the petitioner however, subject to strict conditions.

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 CJM, Nadia at Krishnanagar 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 and on further condition that the petitioner shall remain within the jurisdiction of Nakashipara P.S except for the purpose of investigation and attending court proceeding and shall report to the said officer in charge once in a week until further orders.

. 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) 3902 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)