

10.11.2022
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allowed

CRM(DB) No. 3926 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Barikul Police Station Case No. 19 of 2022 dated 28.05.2022 under Section 376 of the Indian Penal Code.

And

In Re : Uday Sardar petitioner

Mr. Debasis Sur
Mr. A. Patra
Mr. Himadri Sekhar Paul
.....for the petitioner

Mr. Arijit Ganguly
Mr. Avik Ghatak
..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 166 days. It is also submitted that the petitioner is not the principal accused.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is not the principal accused. Investigation is complete. In view of the aforesaid circumstances, we are inclined to grant bail to the petitioner.

Accordingly, we direct that 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 Additional Chief Judicial Magistrate, Khatra, Bankura, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further

orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)