

16.11.2022.
28.
as
(Allowed)

C.R.M. (DB) 3992 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Moyna P. S. Case No.235 of 2019 dated 14.10.2019 under Sections 302/120B of the Indian Penal Code and charge sheet submitted under Sections 302/120B of the Indian Penal Code.

In the matter of : Kalyan Routh.

.... Petitioner.

Mr. Ayan Basu,
Mr. Sourav Bera,
Mr. Sumit Routh.

...for the Petitioner.

Ms. Zareen N. Khan,
Mr. Arup Sarkar.

...for the State.

Petitioner is in custody for 118 days. He submits co-accuseds are on bail.

Learned Advocate for the State opposes the prayer for bail. He submits petitioner had absconded.

We have considered the materials on record. Petitioner stands on the same footing with co-accuseds who are on bail. Keeping in mind the aforesaid fact, we are of the opinion petitioner may be released on bail subject to strict conditions.

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, Tamruk, Purba Medinipur subject to condition 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 and on further condition petitioner while on bail shall remain within the jurisdiction of Moyna Police Station except for the purposes of investigation and/or attending court proceeding and report to the Officer-in-charge of Mloyna Police Station once in a week until further orders.

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.)