

28.11.2022
tkm/ct 28
sl no. 52

C.R.M. (DB) 4179 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Harishchandrapur P.S case no. 370 of 2022 dated 13.5.2022 under sections 302/120B of the IPC
and

Allowed

In Re : Md. Sohel @ Sohel Azam & Anr. petitioners

Mr. Kallol Mondal
Mr. K Roy
Mr. Sourav Mukherjee
Mr. S Das

..... for the petitioners

Ms. Z N Khan
Mr. Ashoke Das

..... for the State

It is submitted on behalf of the petitioners that they are not the principal accused. They pray for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Petitioners are not the principal accused. Co-accused Sanjeeda Bibi who was also present at the place of occurrence, was enlarged on bail.

Under such circumstances, we are inclined to grant bail to the petitioners also.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned ACJM, Chanchal, Malda on condition that the petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 4179 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)