

05.12.2022
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allowed

CRM(DB) No. 4277 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Moyna Police Station 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.

And

In Re : Sukumar Mondal petitioner

Mr. Ayan Basu
Mr. Sourab Bera
Mr. Sumt Routh

.....for the petitioner

Mr. Saibal Bapuli, learned APP
Mr. Bibaswan Bhattacharya
..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 168 days. It is also submitted that co-accuseds are on bail. Petitioner prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail and produces case diary.

We have considered the materials on record. Co-accuseds are on bail. Keeping in mind the aforesaid fact and the period of detention suffered by him, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner viz. Sukumar Mondal 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, Purba Medinipur at Tamluk, subject to condition that

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.)