

12.12.2022
Sl. No.41
akd
[ALLOWED]

C. R. M. (DB) 4353 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.12.2022 in connection with Barikul Police Station Case No. 19 of 2022 dated 28.05.2022 under Section 376 of the Indian Penal Code. (G.R. Case No.229 of 2022)

And

In Re: ***Shambhu Sing Sardar***

... .. Petitioner

Mr. Debasis Sur
Mr. Himadir Sekhar Paul

... .. for the petitioner

Mr. Atif Ahmed Siddiqui

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 198 days. Co-accused has been enlarged on bail.

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

We have considered the materials on record. Petitioner is not the principal accused. Co-accused has been enlarged on bail. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Shambhu Sing Sardar***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Bankura subject to condition that the said petitioner 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.

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 for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)