

15.12.2022
tkm/ct 28
sl no. 35

C.R.M. (DB) 4402 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kulti P.S case no. 427 of 2021 dated 26.8.2021 under sections 302/120B of the IPC read with sections 25/27 of the Arms Act

and

Allowed

In Re : Dharmendra Paswan

..... petitioner

Mr. Avik Ghatak

Mr. A Rakshit

..... for the petitioner

Mr. N Ahmed

Ms. Trina Mitra

..... for the State

Petitioner is in custody for 462 days. It is submitted vital witnesses including the eye-witness have not supported the prosecution case. Co-accused has been enlarged on bail. He renews his prayer for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Vital witnesses including the eye-witness have not supported the prosecution case. Co-accused has been granted bail.

Under such circumstances we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner 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 CJM, Paschim Bardhaman, Asansol on condition that the petitioner 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 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 being CRM (DB) 4402 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)