

23.12.2022.
52.
as
(Allowed)

C.R.M. (DB) 4562 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Garhbeta P. S. Case No.123 of 2022 dated 17.03.2022 under Section 379 of the Indian Penal Code and charge sheet submitted under Sections 379/420/406/409/411/467/120B/34 read with Section 3 of the Prevention of Damage to Public Property Act read with Section 33 of the Indian Forest Act.

In the matter of : Ibrahim Khan @ Sk. Ibrahim.
.... Petitioner.

Mr. Jayantna Narayan Chatterjee,
Ms. Nandini Chatterjee,
Ms. Moumita Pandit,
Ms. Jayashree Patra.
...for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,
Mrs. Sonali Das.
...for the State.

Petitioner is in custody for 226 days. It is submitted there is no progress in the matter since rejection of bail by this Court. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. She submits petitioner was the Pradhan and had illegally sold eucalyptus trees.

We have considered the materials on record. Petitioner was involved in corrupt practice. However, there is no progress in the matter since rejection of bail by this Court.

Balancing the nature of accusation with the period of detention suffered by him, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Ibrahim Khan @ Sk. Ibrahim 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 Additional Chief Judicial Magistrate, Garhbeta, Paschim 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.

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.)