

06.01.2023
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allowed

CRM(DB) No. 17 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chitpur GRPS Police Station Case No. 15 of 2022 dated 07.07.2022 under Sections 328/379/411 of the Indian Penal Code.

And

In Re : Khokhan Poddar @ Surajit Poddar petitioner

Mr. Abhimanyu Bannerjee

Mr. Arnab Saha

.....for the petitioner

Mr. Pravash Bhattacharya

Mr. Pratick Bose

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 169 days. It is also submitted no forensic report with regard to administration of deleterious substance was collected during investigation. Investigation is complete. He prays for bail.

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

We have considered the materials on record. Stolen property has been recovered. Investigation is complete. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to him.

Accordingly, we direct that the petitioner 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,

Sealdah, 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.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)