

16.02.2023.
32.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 137 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Canning P. S. Case No.494 of 2021 dated 21.11.2021 under Sections 302/120B/201/212 of the Indian Penal Code and Sections 27/35 of the Arms Act.

In the matter of : Sambhu Mondal.

.... Petitioner.

Mr. Sourav Chatterjee,
Mr. Joy Chakraborty,
Mr. Sandip Dinda.

...for the Petitioner.

Mr. Neelive Ahmed, Id. A.P.P.,
Ms. Ayantika Roy.

...for the State.

Petitioner is in custody for more than 100 days. Investigation is complete. Co-accused is on bail. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Petitioner stands on the same footing with co-accused. Accordingly, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioner viz., Sambhu Mondal shall be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of Rs.10,000/ each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Alipore, South 24-Paraganas subject to condition that 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 and on further and on further condition that the petitioner while on bail shall not enter the jurisdiction of Canning Police Station and shall provide the address where he shall reside while on bail to the Investigating Officer as well as the court below and report to the Officer-in-charge of the concerned Police Station within whose jurisdiction he shall reside once in a week until further orders.

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.)