

18.01.2023.
23.
as
(Allowed)

C.R.M. (DB) 192 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khanakul P. S. Case No.179 of 2021 dated 04.05.2021 under Sections 147/148/448/302/354(B)/427/379/506 of the Indian Penal Code read with Sections 3/4 of the Explosive Substance Act.

In the matter of : Sougata Chowdhury & Ors.
.... Petitioners.

Mr. Niladri Sekhar Ghosh,
Ms. Sompurna Chatterjee,
Mr. Sourav Mondal.
...for the Petitioners.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Dipankar Paramanick.
...for the State.

Petitioner Nos.1 to 4 are in custody for 71 days and petitioner No.5 is in custody for 63 days. Co-accuseds are on bail. They also pray for bail.

Learned Advocate for the State produces the Case Diary.

We have considered the materials on record. Petitioners stand on the same footing with the co-accuseds who are on bail.

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

Accordingly, the petitioners viz., 1). Sougata Chowdhury, 2). Bimal Patra, 3) Somnath Samanta, 4) Juganta Maity @ Jugantar Maity and 5) Bidyut Khara shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate,

Arambagh, Hooghly subject to condition that they 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 petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their 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.)