

18.01.2023
tkm/ct 28
sl no. 45

C.R.M. (DB) 219 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Balurghat P.S case no. 121 of 2014 dated 27.2.2014 under sections 326/307/34 of the IPC read with section 25(i)(a)/27 of the Arms Act
and

Allowed

In Re : Login Das @ Lagin Das

..... petitioner

Mr. J N Chatterjee
Mr. K Chowdhury

..... for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

..... for the State

Petitioner is in custody for 172 days. It is submitted he has been falsely implicated in the case. He prays for bail.

Learned lawyer for the State submits petitioner has criminal antecedents. Proceedings in the present case was stayed in CRR 1502 of 2014. Upon the order being stayed he was arrested in the case.

We have considered the materials on record. Petitioner is not the principal accused. Though it is alleged that he exhorted the mob, he had not shot the victim.

Under such circumstances, we do not find any reason to detain the petitioner in the present case.

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, Dakshin Dinajpur at Balurghat 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) 219 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)