

19.01.2023
tkm/ct 28
sl no. 44

C.R.M. (DB) 241 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Swarupnagar P.S case no.87 of 2022 dated 3.2.2022 under sections 341/326/307/34 of the IPC
and

Allowed

In Re : Samir Kumar Das

..... petitioner

Mr. Kallol Mondal
Mr. Souvik Das

..... for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

..... for the State

Petitioner is in custody for 335 days. It is submitted there is no progress in the matter since rejection of bail by this court. He renews his prayer for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Though bail prayer of the petitioner was rejected on merits, there is no appreciable progress in the matter since rejection of bail by this court. Offence does not attract mandatory life imprisonment.

Under such circumstances, we are inclined to grant bail to the petitioner.

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 ACJM Basirhat 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) 241 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)