

02.02.2023
tkm/ct 28
sl no. 49

C.R.M. (DB) 408 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Andal P.S case no.233 of 2021 dated 2.9.2021 under sections 395/397/412 IPC read with section 25(1B)(a)/35 of the Arms Act
and

Allowed

In Re : Siraj Shekh

..... petitioner

Mr. P C Majhi

..... for the petitioner

Mr. Swapan Banerjee

Ms. Purnima Ghosh

..... for the State

Petitioner is in custody for more than one year. It is submitted he has not been put up for TI parade. Co-accuseds are on bail. He prays for bail on parity.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Petitioner was not put up for TI parade. A sum of Rs. 2500/- only was recovered from his possession. Co-accuseds are on bail.

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, Durgapur 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) 408 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)