

15.02.2023.
61.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 609 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalyani P. S. Case No.235 of 2009 dated 21.05.2009 under Sections 493/376/417 of the Indian Penal Code.

In the matter of : Debu Das @ Chanchal Das @ Panchanan.
.... Petitioner.

Mr. Shibaji Kr. Das,
Ms. Rupsa Sreemani,
Ms. Riya Sarkar.

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Santanu Deb Roy.

...for the State.

Petitioner is in custody for 188 days. There is no development in the case. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits petitioner had absconded for over a decade.

We have considered the materials on record. Conduct of the petitioner is not appreciable. But there is no development in the matter since his arrest.

Keeping in mind the aforesaid fact, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Debu Das @ Chanchal Das @ Panchanan 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, Kalyani, Nadia 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 condition petitioner while on bail shall remain within the jurisdiction of Kultali Police Station except for the purpose attending court proceeding and report to the Officer-in-charge of Kultalia Police Station 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.)