

20.02.2023
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allowed

CRM(DB) No. 675 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chandipur Police Station Case No. 121 of 2020 dated 07.06.2020 under Sections 447/448/323/325/307/506/34 of the Indian Penal Code added Section 302 of the Indian Penal Code.

And

In Re : Srimanta Jana & Ors. petitioners

Mr. Amitabha Karmakar

Mr. ArupKumar Bhowmick

.....for the petitioners

Mr. Neguive Ahmed, learned APP

Ms. Trina Mitra

..... for the State

Learned Counsel for the petitioners submits they are in custody for 220 days. Co-accuseds are on bail. They pray for bail on parity.

Learned Counsel for the State produces the case diary.

We have considered the materials on record. Petitioners stand on the same footing with co-accuseds who are on bail. Under such circumstances we are inclined to extend the same privilege to the petitioners.

Accordingly, we direct that the petitioners 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 Chief Judicial Magistrate, Tamruk, Purba Medinipur, subject to condition that the petitioners shall appear before the trial court on every date of hearing until further

orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)