

10.04.2023
tkm/ct 28
sl no. 45

C.R.M. (DB) 1320 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Samsherganj PS case no. 160 of 2022 dated 10.5.2022 under sections 380/381/411/436 of the IPC

And

Allowed

In Re : Monoj Kumar Singha

..... petitioner

Mr. A A Alamgir

Ms. Soma Mal

Ms. R Khatun

..... for the petitioner

Mr. M Sur

Mr. M Mahata

..... for the State

Inadvertent typographical error had crept in the order dated 3.4.2023.

In the first line of the order the word “37 days” be read as “327 days”.

Other portions of the order shall remain the same.

Department is directed to incorporate necessary correction in the said order.

Petitioner is presently in custody for 334 days. He renews his prayer for bail.

Learned lawyer for the State opposes the bail prayer. He submits bail prayer was rejected earlier on merits.

We have considered the materials on record. There is no appreciable development in the matter since rejection of bail by this court. Balancing the nature of accusation with the period of detention suffered by the petitioner and as none of the charges attracts mandatory life imprisonment, 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 Jangipur, Murshidabad 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) 1320 of 2023 is disposed of.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)