

04.04.2023
Sl. No.31
akd
[ALLOWED]

C. R. M. (DB) 1340 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.03.2023 in connection with Sealdah GRPS Case No.05 of 2023 dated 26.01.2023 under Sections 328/379 of the Indian Penal Code. (G.R. Case No.19 of 2023)

And

In Re: **Suman Basak**

... .. Petitioner

Mr. Rana Mukherjee
Ms. Sangeeta Roy
Mr. Sandeep Prasad Shaw
Mr. Chandra Prakash
Ms. Monalisa Maity

... .. for the petitioner

Mr. Joydeep Roy .. Jr. Govt. Advocate
Ms. Sujata Das

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 70 days. It is further submitted stolen property was not recovered from him. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail and submits tranquilizers were recovered from the petitioner.

We have considered the materials on record. Though petitioner was subjected to custodial interrogation, stolen property was not recovered from him. Investigation is complete. Petitioner has no criminal antecedents. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Suman Basak**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional District &

Session Judge, 1st Court, Sealdah, South 24-Parganas subject to condition that the said petitioner 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.

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 for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)