

12.04.2023
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allowed

CRM(DB) No. 1453 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala Police Station Case No. 691 of 2022 dated 01.10.2022 under Sections 306/34 of the Indian Penal Code.

And
In Re : Kartick Sarkar petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder
....for the petitioner

Mr. Prasun Kumar Datta, learned APP
Mr. Santanu Deb Roy
.... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Petitioner is in custody for 124 days. Co-accused are on bail. He stands on the same footing with the co-accused. Under such circumstances, we are inclined to extend the same privilege to the petitioner.

Accordingly, we direct that the petitioner shall 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia, subject to conditions that petitioner 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 petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)