

21.04.2023.
33
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1602 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domjur P. S. Case No.591 of 2022 dated 21.07.2022 under Sections 399/402 of the Indian Penal Code.

In the matter of : Gopal Lohar.

.... Petitioner.

Mr. Argha Das.

...for the Petitioner.

Mr. Binay Panda,
Mr. Subham Bhakat.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Incriminating articles have already been seized. Petitioner is in custody for over 220 days.

Balancing the nature of accusation with the period of detention suffered by the petitioner i.e. 220 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Gopal Lohar 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 Chief Judicial Magistrate, Howrah 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.

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.)