

24.04.2023
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allowed

CRM(DB) No. 1611 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Deganga Police Station Case No. 162 of 2022 dated 08.03.2022 under Sections 364/302/201/120B of the Indian Penal Code.

And

In Re : Haran Parui petitioner

Mr. Dipankar Guha

....for the petitioner

Ms. Zareen N. Khan

Mr. Ashok Das

.... for the State

Learned Counsel for the petitioner submits he is in custody for 390 days. It is also submitted co-accused Subho Parui has been enlarged on bail. He renews his prayer for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Case is based on circumstantial evidence. Subho Parui has been enlarged on bail. Under such circumstances further detention of the petitioner is unwarranted and he may be released on bail.

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 Chief Judicial Magistrate, Barasat, 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.)