

01.05.2023.  
34.  
Ct.No.28  
as  
(Allowed)

**C.R.M. (DB) 1724 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dumdum P. S. Case No.468 of 2022 dated 22.06.2022 under Sections 302/201/120B/34 of the Indian Penal Code.

In the matter of : Raj Das @ Bonny.

.... Petitioner.

Mr. Debabrata Ray,  
Mr. S. Halder,  
Ms. Sarbani Mukhopadhyay.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,  
Mr. Manoranjan Mahata.

...for the State.

Pursuant to our earlier order, Investigating Officer is present in Court today. His presence is noted and dispensed with.

Petitioner is in custody for 286 days. He submits he has not been identified in T. I. Parade. He renews his bail prayer.

Investigating Officer is present. He clarifies that the petitioner has not been identified in T. I. Parade.

Under such circumstances, we are constrained to observe rejection of bail of the petitioner on the earlier occasion was an erroneous premise that he had been identified in T. I. Parade.

In the light of such change in circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Raj Das @ Bonny 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, Barrackpore, North 24-Paraganas 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.)**