

28.04.2023
Sl. No.42
akd
[ALLOWED]

C. R. M. (DB) 1738 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.04.2023 in connection with Kenda Police Station Case No.17 of 2022 dated 17.02.2022 under Sections 420/406/34/467/468/471/419/413/120B of the Indian Penal Code. (G.R. Case No.353 of 2022)

And

In Re: ***Amarnath Auddy***

... .. Petitioner

Mr. Shataroop Purukayastha
Mr. Gaurab Purukayastha
Ms. Jagriti Bhattacharyya

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mrs. Sonali Das

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 351 days. Co-accused have been enlarged on bail. Accordingly, he prays for bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Co-accused viz. Sandip Biswas and others have been enlarged on bail. Petitioner has suffered incarceration for a protracted period of time. In view of the aforesaid circumstances, we are of the opinion further detention of the accused/petitioner is not necessary and he may be enlarged on bail however, subject to strict conditions.

Therefore, the accused/petitioner, namely ***Amarnath Auddy***, 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 Chief Judicial

Magistrate, Purulia 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 and on further condition that the petitioner, while on bail, shall not leave the jurisdiction of Muchipara Police Station except for the purpose of attending court proceedings and shall report to the Officer-in-charge, Muchipara Police Station once in a week until further orders.

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.)