

11.05.2023.
49.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1884 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Muchipara P. S. Case No.126 of 2019 dated 04.07.2019 under Sections 120B/170/365/395 of the Indian Penal Code.

In the matter of : Utpal Kumar Kar.

.... Petitioner.

Mrs. Nasra Ali Rahman.

...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.,
Ms. Trina Mitra,
Ms. Ayantika Roy.

...for the State.

Petitioner is in custody for more than three years. There is delay in trial. Co-accused is on bail. He renews his bail prayer.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Bail prayer of co-accused viz., Sridam Sarkar @ Ram @ Shridam Sarkar has been allowed by this Court in CRM (DB) 1636 of 2023. Petitioner stands on the same footing with the said co-accused.

Under such circumstances, we are inclined to extend the same privilege to the petitioner also.

Accordingly, the petitioners viz., Utpal Kumar Kar 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 Metropolitan Magistrate, Calcutta 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.

This application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)