

16.05.2023
cm/ct 28
sl no. 49

C.R.M. (DB) No. 1948 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Pandua P.S Case No. 548 of 2018** dated **12.10.2018** under Sections **394/397/412** of the Indian Penal Code, 1860 read with sections 25/27 Arms Act arising out of S.C. NO. 55/2020 in connection with S.T. Case No. 20(08) 2021.

And

Allowed

In Re : Chandan Majhi @ Chandu.

..... petitioner

Mr. Arunava Ganguly

..... for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

..... for the State

Petitioner is in custody for more than four years. It is contended co-accused are on bail.

Learned lawyer for the State opposes the prayer for bail. He submits another co-accused has absconded.

We have considered the materials on record. One Prosenjit Karmakar @ Buro standing on the same footing with the petitioner has been enlarged on bail in CRM (DB) 503 of 2023. Hence, we are inclined to enlarge the petitioner on bail.

Accordingly, the petitioner i.e. **Chandan Majhi @ Chandu** be released on bail upon furnishing bonds 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, , Hooghly, on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event petitioner 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 being CRM (DB) No. 1948 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)