

18.05.2023

Sl. No .19
tkm

C. R. M. (DB) 1974 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No.164 of 2018 dated 24.05.2018 under Sections 302/34/120(B) of the Indian Penal Code read with section 25/27 of the Arms Act

Allowed

In Re: ***Subal Sarkar***

And

... .. Petitioner

Mr. Sayan De
Mr. S Kanjilal
Mr. K Shome

... for the petitioner

Mr. N Ahmed
Mrs. Amita Gaur

... .. for the State

Petitioner is in custody or 50 days. It is submitted that he was not arrayed as an accused in the initial charge sheet. Subsequently, he has been arrayed as an accused. Co-accused similarly circumstanced with the petitioner is on bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Co-accused similarly circumstanced with the petitioner is on bail.

Keeping in mind the aforesaid facts, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM Ranaghat, Nadia 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 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 being CRM (DB) 1974 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)