

06.06.2023.
20.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2085 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chakdah P. S. Case No.230 of 2021 dated 01.06.2021 under Sections 302/34 of the Indian Penal Code.

In the matter of : Sumanta Biswas.

.... Petitioner.

Mr. Shibaji Kr. Das.

...for the Petitioner.

Ms. Zareen N. Khan,
Mr. Asif Dewan.

...for the State.

Petitioner is in custody for 100 days. He submits he is not the principal accused. Co-accused similarly circumstanced with the petitioner have been enlarged on bail. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Co-accused similarly circumstanced with the petitioner have been enlarged on bail. Hence, we are inclined to grant bail to the petitioner also.

Accordingly, the petitioner viz., Sumanta Biswas 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, Kalyani, Nadia 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.)