

05.07.2023
tkm/ct 28
sl no. 110

C.R.M. (DB) 2200 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bagnan P.S case no. 11 of 2021 dated 9.1.2021 under sections 379/411/414/427/120B IPC read with sections 15/16 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in Land) Act and under sections 3/4 of the Prevention of Damage to Public Property Act
and

Allowed

In Re : Suman Banerjee @ Kuchu ... petitioner

Mr. M H Choudhury
Ms. A Bhattacharjee

..... for the petitioner

Mr. Swapan Banerjee
Mr. Purnima Ghosh

..... for the State

Mr. Anirban Dutta
Mr. S Ghosh
Mr. Amit Ghosh
Mr. V Chatterjee

..... for the de facto complainant

Heard learned lawyers for the parties.

We have considered the materials on record. Petitioner is in custody for 714 days. It is submitted co-accused have been granted bail. There is little possibility of trial concluding in near future.

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

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, Uluberia Howrah 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) 2200 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)