

04.07.2023
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allowed

CRM(DB) No. 2605 of 2023

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

And

In Re : Nepal Chandra Dhar petitioner

Mr. Aniruddha Bhattacharyya

Mr. Uttam Mukherjee

Ms. R. Ghosh

....for the petitioner

Ms. Faria Hossain

Mr. Anand Keshari

.... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Petitioner is in custody for more than three years. In view of delay in trial co-accused has been granted bail. Petitioner stands on the same footing with the said co-accused. Hence, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)