

11.07.2023
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allowed

CRM(DB) No. 2728 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 1080 of 2022 dated 17.10.2022 under Sections 302/34 of the Indian Penal Code.

And
In Re : Mrinal Saha petitioner

Mrs. Karabi Roy
 for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
 for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Co-accused has been enlarged on bail. Though conduct of the petitioner, who was absconding for some time, is not appreciable, keeping in mind the extent of complicity of the petitioner in the crime we are inclined to grant bail to him subject to condition.

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 Additional Chief Judicial Magistrate, Krishnagar, Nadia, on further condition that while on bail petitioner shall remain within the jurisdiction of Kotwali Police Station except for the purpose of attending court proceedings and shall meet the Officer-in-Charge of Kotwali Police Station once in a week until further orders. He 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.)