

17.07.2023
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allowed

CRM(DB) No. 2822 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. 131 of 2020 dated 10.03.2020 under Sections 395/412/34 of the Indian Penal Code.

And

In Re : Munna Sarkar @ Pravat petitioner

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

....for the petitioner

Mr. Sudip Ghosh
Mr. Kaushik Kundu

.... for the State

Learned Counsel for the petitioner submits he is in custody for 191 days. It is also submitted he had not been put up for identification during test identification parade examination. No part of the stolen booty was recovered from him. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner has not been put up for identification during test identification parade examination. Stolen property has not been recovered from him. Keeping in mind the extent of complicity of the petitioner in the alleged crime we are inclined to grant bail to him.

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 Additional Chief Judicial Magistrate, Ranaghat, Nadia, subject to further condition that he shall meet the Officer-in-Charge, Santipur Police Station once in a week until further orders. 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.)