

02.08.2023  
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allowed

CRM(DB) No. 3055 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dum Dum GRPS Case No. 17 of 2023 dated 18.05.2023 under Sections 379/411/413 of the Indian Penal Code.

And

In Re : Prasun Ghosh @ Prosun Ghosh @ Dhukush ..... petitioner

Mr. Siddhartha Sarkar

Mr. Aritra Kumar Thokdar

....for the petitioner

Mr. Saibal Bapuli, learned APP

Mr. Soumik Ganguli

..... for the State

Learned Counsel for the petitioner submits he is in custody for 76 days. It is also submitted that investigation is complete. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner has criminal antecedents.

We have considered the materials on record. Stolen article has been recovered and investigation is complete. Further detention is not necessary. Hence, petitioner may be released on bail subject to strict 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 learned Additional Chief Judicial Magistrate, Sealdah, on further condition that petitioner shall meet the Officer-in-Charge, Dum Dum GRPS 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.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**