

02.08.2023
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allowed

CRM(DB) No. 3056 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 566 of 2021 dated 10.08.2021 under Sections 395/397 of the Indian Penal Code.

And
In Re : Biswajit Karmakar @ Biswa petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder
.....for the petitioner

Mr. Saibal Bapuli, learned APP
Mr. Arijit Ganguli
..... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Petitioner is in custody for 685 days. He was not put up for test identification parade. Only a firearm was recovered. Co-accused are on bail. Hence, we are inclined to extend the same privilege to the petitioner also.

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, on further conditions that while on bail the petitioner shall remain within the jurisdiction of Krishnaganj Police Station until further orders except for the purpose of attending court proceeding and shall report to the Officer-in-Charge of the Krishnaganj 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)