

08.09.2023
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allowed

CRM(DB) No. 3501 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 693 of 2020 dated 18.08.2020 under Sections 341/323/376/511/109/379 of the Indian Penal Code.

And

In Re : Ganesh Ghosh & Anr. petitioners

Mr. Pinaki Dhol
Mr. Arabinda Manna
Mr. Sushant Rabi Das

....for the petitioners

Mr. Prasun Kumar Datta, learned APP
Mr. Santanu Deb Roy

.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. Petitioners are in custody for 75 days. Co-accused, Santosh Mondal is on bail. Petitioners stand on the same footing with co-accused Santosh Mondal. Under such circumstances, we are inclined to grant bail to the petitioners also.

3. Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Malda, subject to conditions that petitioners 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.

4. In the event the petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

5. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)