

25.09.2023
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allowed

CRM(DB) No. 3715 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Liluah Police Station Case No. 356 of 2015 dated 25.11.2015 under Sections 302/201 of the Indian Penal Code read with Section 25(1-B)(a)/27 of the Arms Act.

And
In Re : Sanu Singh @ Sonu Singh petitioner

Mr. Ashok Das
Mr. Sourav Mukherjee
....for the petitioner

Mr. Madhusudan Sur, learned APP
Mr. Dipankar Paramanick
.... for the State

1. Learned Counsel for the petitioner submits he is in custody for 190 days. He renews his bail prayer.

2. Learned Counsel for the State opposes the bail prayer and submits petitioner had absconded earlier.

3. We have considered the materials on record. Petitioner had been released on bail. Due to miscommunication he was unable to appear before the trial court. During such period he was regularly appearing before other courts. Issue of abscondence has to be seen in the light of the aforesaid circumstance. There is little possibility of trial concluding in near future. Accordingly, we are inclined to enlarge the petitioner on bail, however, subject to conditions.

4. 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 Chief Judicial Magistrate, Howrah, on further condition that while on bail petitioner shall remain within the jurisdiction of Liluah Police Station except for the purposes of investigation and /or attending court proceeding and shall meet the Officer-in-Charge, Liluah 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.

5. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)