

10.10.2023.
59.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3915 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Rishra P.S. Case No.129 of 2017 dated 18.10.2017 under Sections 364/367/302/201/34 of the Indian Penal Code.

In the matter of : **Rahul Das @ Jomai & Ors.**

.... Petitioners.

Mr. Malay Bhattachryya,
Mr. Dibakar Sardar,
Ms. Sudipa Sengupta.

...for the Petitioners.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Dipankar Paramanick.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioners submit they are in custody for more than two years and four months. Co-accused viz., Rakesh Singh, Suraj Giri @ Vindi and Pratap Roy have been enlarged on bail. He stands on the same footing with the said co-accused and is entitled to same relief.
3. Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.25,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Serampore, Hooghly subject to condition that they shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioners while on bail shall remain within the district of

Hooghly and report to the Officer-in-charge of Rishra Police Station once in a week until further orders.

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

5. Further investigating in the matter shall continue and be taken to its logical conclusion.

6. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)