

16.11.2023
as/tkm/ct 28
sl no. 17

C.R.M. (DB) 4147 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Jhargram P.S case no. 159 of 2023 dated 24.6.2023 under sections 302/34 of the IPC
and

Allowed

In Re : Upen Mahata @ Upendranath Mahato & Ors.
..... petitioners

Mr. S Das Mahapatra
Ms. Madhurai Sinha

..... for the petitioners

Mr. Swapan Banerjee
Mr. Suman De

..... for the State

1. Petitioners are in custody for 146 days. Co-accused is on bail. They pray for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Allegation against the petitioners is general and omnibus. Co-accused is on bail.
4. Under such circumstances we are inclined to extend the same privilege to the petitioners also.
5. Accordingly, the petitioners 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 CJM Jhargram on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
6. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.
7. The application being CRM (DB) 4147 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)