

D/L. 79
February 2, 2023
MNS

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (DB) 48 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.01.2023 in connection with SC No. 103 of 2022 arising out of Nagrakata Police Station Case No. 139 of 2021 dated 30.10.2021 under Sections 302/201/34/120B/379/411 of the Indian Penal Code and Charge Sheet No. 04 of 2022 dated 21.01.2022 submitted under Sections 302/201/34/120(B)/379/411 of the Indian Penal Code.

And

In the matter of: Arbind Santhal and others

.... Petitioners

Mr. DebasishMukhopadhyay,
Mr. Anirban Banerjee,
Ms. Sriya Basu

... for the petitioners

Mr. A. S. Chakraborty,
Mr. Saikat Chatterjee

... for the State

In the present case, upon hearing learned counsel for the petitioners, we find that although the learned counsel for the State opposes the prayer for bail, the principal accused has already been enlarged on bail. That apart, the petitioner nos. 1, 2 and 3 are in custody respectively for 468, 449 and 458 days.

Keeping in view the aforesaid circumstances, we are inclined to grant bail to the petitioners.

Accordingly, CRM (DB) 48 of 2023 is allowed, thereby granting bail to the petitioners on condition that the petitioners furnish 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, Jalpaiguri. The sureties may be common for all the petitioners. The petitioners shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend the trial on each and every date.

The petitioners shall not make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)