

10.05.2023
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IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(DB) 195 of 2023

In Re: An application for bail under Section 439 of the Code
of Criminal Procedure, 1973.

And

In the Matter of : Ajit Oraon

.... petitioner.

Mr. Hillol Saha Podder,
Ms. Mousumi Das

.....For the petitioner.

Mr. Abhijit Sarkar,
Mr. Arjun Chowdhury

.....For the State.

This is an application for grant of bail filed under Section
439 of the Code of Criminal Procedure, 1973 in connection
with Sessions Case No.256 of 2022 arising out of
Ghoksadanga Police Station Case No. 434 of 2021 dated 19th
November, 2021 under Section 302/34 of the Indian Penal
Code, 1860.

Learned advocate for the petitioner submits that the
petitioner is in custody for 174 days. He further submits
that charge sheet has been submitted and the trial has not
yet been commenced.

Learned advocate for the State opposes the prayer for
bail.

After hearing the parties and considering the materials on record and those produced and keeping in mind the period of custody as also the stage of trial, we allow this application for bail to the following conditions:

The petitioner will be enlarged on bail upon furnishing a bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate on the following conditions:

1. The petitioner should be present in court on the dates when the trial is fixed.
2. He shall not leave the local limits of the jurisdictional police station where he resides without informing the I.C.
3. He shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
4. The petitioner shall attend the court on each and every day of trial, in default, the court shall be at liberty to cancel the bail bond without any reference to this bench.

The application for bail [CRM (DB) 195 of 2023] is, accordingly, disposed of.

(Ananya Bandyopadhyay, J.) (Arindam Mukherjee, J.)

