

09.01.2024

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Allowed

C.R.M. (DB) No. 46 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Amdanga Police Station Case No. 528 of 2021 dated 07.10.2021 under Sections 395/397/412 of the Indian Penal Code.

And

In Re : Suvankar @ Suvenkar Sarkar petitioner

Mr. Amanul Islam

Mr. Sourav Mukherjee

Mr. Arka Chakraborty

.....for the petitioner

Mr. Soumik Ganguly

.....for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. Petitioner is in custody for two years and three months. Co-accused are on bail. He stands on the same footing with the co-accused. Accordingly, we are inclined to extend the same privilege to the petitioner also.

3. 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, Barasat, North 24 Parganas, subject to condition that petitioner 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.

4. In the event petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)