

15.01.2024
cm/ct 28
sl no. 74

C.R.M. (DB) No. 104 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Patiram P.S Case No. 228 of 2023** dated **23.10.2023** under Sections **489A/489B/489C/120B** of the Indian Penal Code 1860.

And

Allowed

In Re : Jay Prakash Sarkar @ Joy Prakash Sarkar.
..... petitioner

Mr. Sourav Chatterjee
Mr. Kaustav Bagchi
..... for the petitioner

Mr. Soumik Ganguly
..... for the State

1. The learned advocate for the petitioner submits that he has been falsely implicated in the series of cases due to political rivalry. Alleged recovery was from the place which is not the exclusive custody of the petitioner. He prays for bail.

2. The learned lawyer for the State opposes the bail prayer of the petitioner.

3. We have considered the materials on record. Petitioner has been implicated in the series of cases. Alleged recovery is from a place which was not within the exclusive control and dominion of the petitioner. Keeping in mind the aforesaid facts, we are of the opinion further detention is not necessary and petitioner may be enlarged on bail.

4. Accordingly, the petitioner be released on bail upon furnishing bonds of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned CJM, Balurghat, Dakshin Dinjapur on condition that the petitioner

shall appear before the trial court on every date of hearing and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event petitioner fell to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

6. The application being CRM (DB) No. 104 of 2024 is disposed of.

(Parth Sarathi Sen, J.)

(Joymalya Bagchi, J.)