

31.01.2024
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allowed

CRM(DB) No. 272 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kharagpur Town Police Station Case No. 498 of 2023 dated 04.11.2023 under Sections 341/325/307/354B/34 of the Indian Penal Code.

And

In Re : Sambhu Charan @ Sambhu Charan Jadab @
Sambhu Yadav petitioner

Mr. Navanil De
Mr. Srinjan Ghosh
Mr. Subhrajit Dey
Ms. Monami Mukherjee

....for the petitioner

Mr. Abhra Mukherjee
Ms. Purnima Ghosh

.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. Petitioner is not named in the FIR. Whether allegation of attempt to murder is tenable requires to be assessed in the course of trial. Petitioner is in custody for 756 days. There is no chance of abscondence. Accordingly, we are inclined to grant bail to the petitioner.

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 Additional Chief Judicial Magistrate, Kharagpur, Paschim Midnapore, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the

witnesses and/or tamper with evidence in any manner whatsoever.

4. In the event the petitioner fails to appear before the trial court without 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.)