

06.03.2024
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allowed

CRM(DB) No. 485 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Durgapur Police Station Case No. 259 of 2021 dated 30.05.2021 under Sections 420/467/468/471/120B of the Indian Penal Code.

And

In Re : Bibhas Shaw @ Bibhas Shaw petitioner

Mr. Uday Sandar Chatterjee
Mr. Suman Sankar Chatterjee
Ms. Trisha Rakshit
Ms. Aiswari Datta
Mr. Rajashi Tah

....for the petitioner

Mr. Sudip Ghosh
Ms. Debjani Sahu

.... for the State

Mr. Soumik Ganguli

.... for de facto complainant

1. Learned Counsel for the petitioner submits he is in custody for 83 days. It is also submitted co-accused have been released on bail. Further detention of the petitioner is not necessary. Accordingly, he prays for bail.

2. Learned Counsel for the State produces the Case Diary.

3. Learned Counsel for the de facto complainant does not oppose the bail prayer.

4. In view of aforesaid development and as offences are Magistrate triable and co-accused are on bail, we are inclined to grant bail to the petitioner.

5. 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, Durgapur, 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.

6. 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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)