

05.03.2024
tkm/ct 28
sl no. 63

C.R.M. (DB) 710 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chittaranjan P.S case no. 22 of 2020 dated 17.7.2020 under sections 120B/302 IPC and sections 25/27 of the Arms Act, charge sheet submitted under sections 302/34/120B/201 IPC and sections 27 of the Arms Act
and

Allowed In Re : Ajay Mandal @Gangu & Anr. ... petitioners

Mr. A Roy
Mr. Rhiddhiman Mukherjee

..... for the petitioners

Mr. R D Nandy
Mr. Gautam Banerjee

..... for the State

1. Learned lawyer for the petitioner does not wish to press the bail application of petitioner no. 2.

2. Hence, bail prayer of petitioner no. 2 viz Suraj Balmiki is dismissed as not pressed.

3. Having considered the evidence against petitioner no. 1 and as the ballistic report does not show the alleged fire arm recovered from the petitioner no. 1 was used to commit the murder, we are of the opinion petitioner no. 1 stands on the same footing with co-accused who are on bail and he may be enlarged on bail too.

4. Accordingly, the petitioner no.1 viz Ajay Mandal @Gangu 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 ACJM Asansol on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event he fails 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) 710 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)