

12.08.2024
Sl. No.59
akd
[ALLOWED]

C. R. M. (DB) 2570 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 06.08.2024 in connection with Bhadreswar Police Station Case No.496 of 2022 dated 14.09.2022 under Sections 325/304 of the Indian Penal Code and subsequently charge sheet submitted under Sections 302/201/34 of the Indian Penal Code. (G.R. Case No.1508 of 2022)

And

In Re: ***Prakash Harijan***

... .. Petitioner

Mr. Bitasok Banerjee
Mr. Abdus Salam

... .. for the petitioner

Mr. Anand Kesari
Mr. Aritra Bhattacharyya

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about one year and eleven months. Co-accused viz. Shiv Kumar Harijan @ Shib Kumar Harijan has been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Co-accused viz. Shiv Kumar Harijan @ Shib Kumar Harijan has been enlarged on bail. Petitioner stands on the same footing with the said co-accused. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Prakash Harijan***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Chandannagar, Hooghly subject to condition

that the said 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.

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 for bail, thus, stands allowed.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)