

12.11.2024

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Allowed

C.R.M. (DB) No. 2694 of 2024

In Re:- An application for bail under Section 483 of BNSS in connection with Sankrail Police Station Case No. 697 of 2021 dated 11.06.2021 under Sections 302/34 of the Indian Penal Code.

And

In Re : Sushil Kumar Sar petitioner

Mr. Soumya Basu Roy Chowdhury
.... for the petitioner

Mr. Joydeep Roy
Mr. Aritra Bhattacharya
.... for the State

1. Learned Counsel for the petitioner submits he is in custody for over three years. He is not the principal accused. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. One Subhash Sar struck the petitioner on his head resulting in death. In view of extent of complicity of the petitioner in the crime we are inclined to enlarge him on bail.

4. Accordingly, we direct 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 Chief Judicial Magistrate, Howrah, subject to condition that 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 petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)