

11.11.2024

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Allowed

C.R.M. (DB) No. 3616 of 2024

In Re:- An application for bail under Section 483 of BNSS in connection with Mohanpur Police Station Case No. 240 of 2022 dated 22.11.2022 under Sections 302/201/379/411/34 of the Indian Penal Code.

And
In Re : Tapash Barui @ Tapos Barui petitioner

Mr. Debasis Kar
Mr. Arka Tilak Bhadra
.... for the petitioner

Mr. Bitasok Banerjee
Mr. Sobhan Gani
.... for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. Petitioner is in custody for one year eleven months. There is no direct evidence connecting him with the murder. Co-accused has been enlarged on bail. Hence, we are inclined to extend the similar privilege 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, Barrackpore, 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 and on further

condition that the petitioner shall remain within the jurisdiction of Mohanpur Police Station save and except attending court proceedings and shall report to the Officer-in-Charge of the Mohanpur Police Station once in a week until further orders.

4. 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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)