

05.01.2024.
23.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4664 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Amdanga P.S. Case No.528 of 2021 dated 07.10.2021 under Sections 395/397/412 of the Indian Penal Code and under Sections 25/27 of the Arms Act.

In the matter of : **Samarjit Ghosh @ Buro.**

.... Petitioner.

Mr. Sayan De,
Mr. Sayan Kanjilal,
Mr. Kaustav Shome.

...for the Petitioner.

Ms. Zareen N. Khan,
Md. Kutubuddin.

...for the State.

1. Petitioner is in custody for two years and three months. He submits co-accused viz., Sumit Kumar Bhowmik @ Sumit @ Puchu has been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for State opposes the bail prayer. He submits trial is in progress. Six witnesses have been examined.
3. We have considered the materials on record. Co-accused viz., Sumit Kumar Bhowmik @ Sumit @ Puchu is on bail.
4. Keeping in mind the aforesaid fact and the extent of complicity of the petitioner in the crime, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Samarjit Ghosh @ Buro** 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, Barasat, North 24-Paraganas subject to condition that he 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.

6. In the event the 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.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)