

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

03.07.2024
Court No.1
(D/L 9)
(Allowed)

CRM (DB) 270 OF 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 10.06.2024 in connection with New Jalpaiguri Police Station Case No.1056 of 2022 dated 21.09.2022 under Sections 384/385/306/120B of IPC in connection with G.R. Case No.5417 of 2022.

And

In the matter of: **Ganesh Sarkar**

... Petitioner.

Mr. Biswarup Ray
Mr. Supriya Debnath

...for the petitioner

Mr. Abhijit Sarkar
Ms. Namrata Das

... for the State.

Learned counsel appearing for the petitioner submits that he is in custody for 80 days and co-accused is on bail.

Learned counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record and as co-accused is on bail, we are inclined to grant bail to the petitioner.

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, one of whom must be local, to the satisfaction of Id. Chief Judicial Magistrate, Jalpaiguri, subject to the conditions that the

petitioner shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or temper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the Trial Court without justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without reference to this Court.

The application for bail is accordingly, allowed.

[MD. SHABBAR RASHIDI, J.]

(RAJARSHI BHARADWAJ, J.)