

Crl. Misc. Case No.1882/2022

Present : Mr. Rashid Alam.

Sessions Judge,Malda.

Order No.03 dated 24.06.2022

The application under section 439 Cr.P.C filed on behalf of accused-petitioners namely; Prodip Ghosh, Monoranjan Ghosh, Swapan Ghosh, Shyamal Ghosh, Tubai Ghosh in connection with Kaliachak P.S. Case No. 589/2016 dt.06.09.2016 Under Section 147/148/149/186/326/307/34 of IPC read with Section 25/27 of Arms Act and Section 3 /4 of E.S.Act is taken up for hearing.

Ld. Lawyer for the accused-petitioners submits that no petition is pending or preferred before any Superior Court in connection with this case and Ld. P.P also concedes the same.

Heard the learned Advocate for the present accused-petitioners who submits that the present accused-petitioner no.1 voluntarily surrendered before the court on 10.06.2022 and rest accused-petitioners are in custody since 10.06.2022 and further more most of the charge sheeted accused persons have been granted bail. So, he prays for bail in respect of the present accused-petitioners on any terms and conditions.

Learned P.P.,Malda raised objection against the bail prayer of this accused-petitioners stating that charge sheet has been submitted in this case.

Perused the materials on record including the case diary.

Considering the fact that after completion of investigation charge sheet has been filed in this case and the present accused-petitioner no. 1 is in custody since 22.06.2022 after surrender and rest accused-petitioners are languishing in custody since 10.06.2022, this Court is of the opinion that they may be enlarged on bail. Hence, the prayer for bail of the present accused-petitioners is allowed.

Hence, it is,

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that the present accused-petitioners namely; Prodip Ghosh, Monoranjan Ghosh, Swapan Ghosh, Shyamal Ghosh and Tubai Ghosh may find bail of Rs.5,000/- each with two sureties of Rs.2,500/-each, out of whom one must be local, subject to the satisfaction of the learned C.J.M.,Malda on condition that they shall attend the court each and every date fixed.

Let the LCR along with a copy of this order be sent back to the Learned Court below at once. CD be returned. This Criminal Misc. Case is thus disposed of.

Dictated & Corrected by me,

Sessions Judge,Malda.

Sessions Judge,Malda.