

GR 141/2017

Order dated 11-10-2022

Record is put up today by way of petition.

Accused **Prabir Chakraborty** is present today and he has surrendered before this court.

They are taken into custody.

Ld. APP is present.

Heard both sides over bail application.

Ld. APP raises no objection on the ground that it is difficult even for the prosecution to bring all the accused person at one time immediately for the purpose of committal of the case.

Considering the case record it appears that the accused persons misused the liberty of bail and so warrant of arrest was issued against him but he has surrendered before this Court today. So, it appears that there is chances of rectification in the conduct of the accused person. Considered.

Perused the **Section 209(b) of Cr.P.C.** and also reported decision passed in **Thirumalegowda vs State, 1999 CrLJ 823** wherein it has been observed that where in a case the offence is exclusively triable by the Sessions, the Magistrate has discretion to release the accused on bail even where the case is committed to the Court of Sessions binding the accused not only to appear as and when required before him but also to appear as called upon in the court of Sessions. So, considering that the case is long pending and it is also a fact that the accused person has surrendered before the court voluntarily and for ends of justice he may find bail of Rs. 2000/- with one R.S of like nature with condition to appear before this court on the next dates positively and also to appear before the Court of Sessions if he is so directed I/d to j/c.

If on bail todate (12-10-2022) for appearance.

Recall W/A.

D/Corrected by

A.C.J.M, Bishnupur

A.C.J.M, Bishnupur
J.O.Code-WB00950