

GR 690 of 2019

Order dated 18-02-2023

Record is put up today.

Accused persons namely, Khokon Dhara, Monoj Dhara, Ramprasad Dhara, Bikash Dhara and Dhananjay Dhara have surrendered today.

One bail application has been filed in respect of the accused persons.

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 persons 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 them . So, it appears that there is chances of rectification in the conduct of the accused persons. 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 they have surrendered voluntarily and for ends of justice they may find interim bail of Rs. 2000/- each 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 to 25-08-2023 for appearance and commitment.

Recall W/A.

D/Corrected by

A.C.J.M, Bishnupur

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