





Serial No. of Order	Date of Order	Orders with signature	Office Note as to action (if any) taken on order
03.	12.03.2009	<p>Present : Ms. Laxmi Chakraborty, Advocate with Ms. Manju Rai, Advocate for the accused/petitioner.</p> <p>Mr. Karma Thinlay, Addl. Public Prosecutor for the State Respondent.</p> <p>-----</p> <p>Heard learned Counsel appearing on behalf of the parties.</p> <p>2. Learned Counsel for the accused/petitioner submits that the accused petitioner has been under detention for more than 90 days i.e., beyond the statutory period prescribed under Section 167(2)(a) Cr. P. C. and no charge sheet has been filed as yet. As such, prayer is made for release of the accused/petitioner forthwith from the custody. The learned Addl. Public Prosecutor appearing for the State Respondent does not dispute the above position in law as well as the fact that no charge sheet has been filed as of today.</p> <p>3. In view of the above position, there is no option but to allow the petition filed by the accused/petitioner for his release on bail. Accordingly, the accused/petitioner be released on bail on his furnishing bail bond of Rs.2 lakhs (Rupees two lakhs) with two sureties of the like amount to the satisfaction of the learned Judicial Magistrate, East at Gangtok. As prayed for by the learned Addl. Public Prosecutor the bail order shall be subject to the following conditions :-</p> <p><b>(i) The accused/petitioner shall appear before the I.O. as and when</b></p>	



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		<p>required by the I.O. until the ongoing investigation is completed.</p> <p>(ii) The accused shall not leave the State without the prior permission of the Court.</p> <p>(iii) As undertaken by the learned Counsel for the accused/petitioner, the accused/petitioner shall not enter the premises of the Sikkim Distilleries Ltd. and shall also not maintain any contact with the employees of the Sikkim Distilleries Ltd.</p> <p>4. With the above observation, this Bail Application accordingly stands disposed of.</p> <p>5. Send a copy of this order to the concerned Court below for information and needful action.</p> <p style="text-align: center;">   <b>( Justice A. P. Subba )</b>  <b>Judge</b> </p>	<p><i>A copy of the order sent to the concerned courts on 12-3-09.</i></p> <p style="text-align: right;">   12-3-09 </p>