

38 14.12.2020
rkd Ct. No.28
(Allowed)

C.R.M. 2734 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chopra** P.S. Case No. **59 of 2019** dated **21/01/2019** under Sections **376/341/323/506/34** of the Indian Penal Code.

And

In the matter of: Safiqul Alam

....petitioner.

Mr. S. Mukherjee

...for the petitioner.

Mr. R. Mukherjee,
Mr. S. Chatterjee

...for the State.

Petitioner is in custody for 685 days. It is further submitted that there is little possibility of the trial concluding in the near future.

Learned counsel appearing on behalf of the State opposes the prayer for bail.

We have considered the materials on record. Although allegations are grave, in view of the period of detention suffered by the petitioner and as possibility of trial concluding in the near future is bleak, we are inclined to grant bail to the petitioner, however, subject to strict restrictions.

Accordingly, the petitioner is directed to be released on bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Islampur, Uttar Dinajpur subject to the condition that during bail he shall appear before the learned trial court regularly and he shall not intimidate witnesses or tamper with evidence in any manner

whatsoever and on further condition that he shall not enter the jurisdiction of Chopra P.S. until further orders except for attending the court proceedings and shall provide the address where he shall presently reside to the investigating officer as well as the court below and shall meet the Officer-in-charge of concerned Police Station where he shall presently reside once in a week until further orders.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)