

22.09.2020

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**CRM 7049 of 2020
IA No. CRAN/1/2020
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nowda P.S. Case No.306 of 2016 dated 20.10.2016 under Sections 395/397/412 of the Indian Penal Code.

And

In the matter of: Rakib Sk. @ Rakibul Sk.

....Petitioner.

Mr. Ali Ahsan Alamgir

...for the Petitioner.

Mr. N. Ahmed
Ms. Amita Gour

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within a month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The application being IA No. CRAN/1/2020 is disposed of.

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime and in view of the protracted period of detention suffered by him, that is, 3 years 11 months and as the co-accused Masidul Khan @ Bagha @ Masadul Khan has been enlarged on bail, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned A.C.J.M., Berhampore, Murshidabad subject

to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

CRM 7049 of 2020 is disposed of.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Kausik Chanda, J.)

(Joymalya Bagchi, J.)