

25.09.2020
Court No.12
Item No. 06
Krishnendu
Bail Granted

C.R.M. 7095 of 2020
With
C.R.A.N.1 of 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;

In Re : **Saidul Khan @ Rashidul Khan**

.....Petitioner

Mr. Anisur Rahman

....For the Petitioner

Mr. Binay Panda

Mrs. Puspita Saha

.....For the State

Heard the learned advocates appearing on behalf of the parties.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application, being CRAN No. 1 of 2020, is disposed of.

The petitioner is in custody for more than three years. Co-accused has been released on bail.

Learned lawyer appearing for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the facts and circumstances of the case and the protracted period of detention suffered by the petitioner and as co-accused, Masidul Khan @ Bagha @ Masudul Khan has been enlarged on bail, we are inclined to extend the same privilege to the petitioner.

Accordingly, the petitioner shall 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 Chief Judicial Magistrate, Murshidabad at Berhampore and on condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any 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, being CRM No. 7095 of 2020, is disposed of.

All concerned 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)