

C.R.M. 8223 of 2020

(Through Video Conference)

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Harishchandrapur P.S. Case No. 531 of 2020 dated 14.08.2020 under sections 341/326/307/325/34/302 of the Indian Penal Code.

And

In the matter of : Abdur Rashid & Anr.

Mr. Safiur Rahaman

Mr. Manoj Kurmi

... ... for the petitioners

Mr. Md. Anwar Hossain

Ms. Sreyashee Biswas

... ... for the State

Mr. Mahim Sasmal

Mr. Naseeb Khan Joy

... ... for the de facto complainant

Having considered the materials on record and bearing in mind the facts and circumstances of the case in the light of the submission that petitioners have been falsely implicated in the instant case, we are of the opinion though further detention is not necessary, movement of the petitioners require to be restricted in order to instill confidence in the mind of the de facto complainant and other witnesses.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Chanchal, Malda subject to the condition that the

petitioners shall not enter the district of Harishchandrapur Police Station except for the purpose of attending Court proceedings and shall provide the addresses where they shall presently reside to the investigating officer as well as the Court below and shall report to the officer-in-charge of the concerned Police Station within whose jurisdiction they presently reside and shall appear before the trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to do so without justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this court.

The application for bail is, thus, allowed.

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

(Md. Nizamuddin, J.)

(Joymalya Bagchi, J.)