

37 01.12.2020
rkd/ Ct. No.03
sd (Allowed)

C.R.M. 9470 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kharagpur** G.R.P.S. Case No. **91 of 2016** dated **17/05/2016** under Sections **395/397/412/120B** of the Indian Penal Code and under Sections **25(i)(a)/27/35** of the Arms Act.

And

In the matter of: Rahul Kuddus Molla @ Rahul Kuddus Mollo
....petitioner.

Mr. Ayan Bhattacharya,
...for the petitioner.

Mr. Saibal Bapuli,
Ms. S. Santra
...for the State.

Liberty to correct the cause title.

Petitioner is in custody for over four and half years. It is further submitted that there is little progress in the trial concluding the near future. Co-accused person has been enlarged on bail.

Learned counsel appearing on behalf of the State opposes the prayer for bail and submits that petitioner along with co-accused committed dacoity. Trial is in progress.

We have considered the materials on record. Although allegations are grave, petitioner has also suffered protracted period of detention and co-accused is on bail. Under such circumstances, we are inclined to extent the same privilege to the petitioner also.

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, 6th Court, Paschim Medinipur, subject to the condition that during bail he shall appear before the learned trial court regularly till disposal of the trial and he shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offence in future and on further condition that petitioner should also report to the Officer-in-Charge of the police stations within whose jurisdiction the petitioner resides, once a fortnight till the conclusion of the trial.

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.)