

16.12.2020  
Sl. No.77  
**akd**  
[ALLOWED]

**C. R. M. 10456 of 2020** [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 454 of 2020 dated 11.06.2020 under Sections 341/326/307 of the Indian Penal Code. (G.R. Case No.2437 of 2020)

And

In Re: **Setabul Momin @ Setabuddin Momin**

... .. Petitioner

Mr. Mrityunjoy Chatterjee .. Advocate

... .. for the petitioner

Mr. Binay Panda .. Advocate

Mr. Subham Bhakat .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 190 days.

Learned advocate 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, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Setabul Momin @ Setabuddin Momin**, 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 Chief Judicial Magistrate, Malda subject to condition that the said petitioner 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

**(Suvra Ghosh, J.)**

**(Joymalya Bagchi, J.)**