

11-01-2021
Subha
Item no.20
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 87 of 2021

Akbar Molla

-vs-

The State of West Bengal
(Via video conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Kharagpur GRPS P.S. Case No.91 of 2016 dated May 17, 2016 under Sections 395/397/120B of the Indian Penal Code with added Section 412 I.P.C and Sections 25(i)(a)/27/35 of the Arms Act.

Mr. Anand Keshari
Mr. Sekhar Mukherjee
Mr. Gourav Kumar ...for the petitioner.

Mr. Saibal Bapuli
Mr. Arani Bhattacharyya ... for the State.

Mr. Keshari, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the criminal proceedings and is in custody since 19th July, 2016. Upon investigation charge-sheet has already been filed on 24th July, 2016.

He further submits that a person similarly situated with the petitioner has already been granted bail by a Co-ordinate Bench of this Court on 18th December, 2020.

Mr. Bapuli, learned advocate appearing for the State/opposite party denies the contention of the petitioner and submits that the petitioner is involved in the offences.

Upon considering the materials placed in the case diary and since a person similarly situated with the petitioner has already been granted bail by a Co-ordinate Bench of this court, we are of the opinion that further detention of the petitioner is not necessary and we are inclined to grant bail.

Therefore, the accused/petitioner, namely **Akbar Molla** 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, Paschim Medinipur 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.

Accordingly, the application for bail, being CRM No. 87 of 2021, is disposed of.

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

[Tirthankar Ghosh, J]

[Tapabrata Chakraborty, J]