

21.01.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with Uluberia Police Station Case No.43
Sl.15 of 2020 dated 25.01.2020 under Sections 363/365 of the Indian Penal
Ct.28 Code and subsequently charge sheet submitted under Sections
302/201/120B of the Indian Penal Code;

And

In re: Sk. Hasibul Ali @ Sk. Hasibul @ Alo ... petitioner.

Mr. Anindya Ghosh
Mr. Pronojit Roy

... for the petitioner.

Mr. Saibal Bapuli, APP
Mr. A. Bhattacharyya

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Upon completion of investigation charge sheet has also been filed and as such, further detention of the petitioner, who is in custody for 316 days, is not necessary. He further submits that co-accused persons, similarly situated with the petitioner, had already been granted bail by this Court.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary including the seizure list. Prima facie, it appears that the extent of complicity of the petitioner is similar to those co-accused persons, who had already been granted bail. In view thereof, we are of the opinion that further detention of the petitioner is not necessary.

Accordingly, the petitioner, namely, **Sk. Hasibul Ali @ Sk. Hasibul @ Alo**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Uluberia, Howrah and on further condition that 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 any event, the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference of this Court.

The application for bail being CRM No.349 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

