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14-09-2021

Court 30

Allowed

C.R.M. 469 of 2020

(Via Video Conference)

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Canning Police Station Case No. 91 of 2019 dated 25.02.2019 under Sections 302/34 of the Indian Penal Code.

Aminuddin Molla
Versus
State of West Bengal

Mr. Sarwar Jahan, Adv.
Mr. Abdul Aziz Mindal, Adv.
Mr. Imran Khan, Adv.

...for the petitioner.

Mr. Nguive Ahmed, APP
Ms. Trina Mitra, Adv.
Mr. N.P. Agarwal, Adv.

...for the State.

In view of the fact that two of the co-accused persons namely, Ajibar Sardar and Ramjan Molla @ Romjan Molla similarly placed as that of the present petitioner have been enlarged on bail on 8th April, 2021 and 26th July, 2021 by the coordinate Benches and having regard to the fact that the petitioner is in custody for two years and six months, we allow this application for bail accordingly.

Accordingly, we direct that the petitioner namely, Aminuddin Molla, shall 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 Additional Chief Judicial Magistrate, Alipore, South 24 Parganas on condition that the petitioner shall not enter the jurisdiction of Canning Police Station save and except on the dates specified for hearing before the learned trial court and for meeting the Officer-in-Charge, Canning Police Station once a week until further orders. While on bail, the petitioner shall not intimidate the witnesses and/or tamper with the evidence in any manner whatsoever.

It is also made clear that in the event the petitioner fails to comply with any of the aforesaid directions without justifiable cause, the learned trial court shall be at liberty to cancel the petitioner's bail, without any further reference to this Court and with a further condition to comply with the provision of Section 437(3) of the Code of Criminal Procedure.

The application for bail, being CRM 469 of 2020 is, accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Rabindranath Samanta, J.)

(Soumen Sen, J.)