

19.08.2021
Item no.16
Court No.30
Avijit Mitra

C.R.M. 4614 of 2020 (through video conference)
with
IA No. CRAN 2 of 2021

In Re:- An application for modification;
And

In Re : Nazmul Hassan

.... Petitioner

Mr. Habibur Rahaman
Mr. Maidul Islam Kayal

....for the petitioner

Mr. Swapan Banerjee,
Mr. Mirza Firoj Ahmed Begg

...for the State

This is an application for modification of condition contained in order dated 9th July, 2020 passed in CRM No.4614 of 2020, granting anticipatory bail and thereby directing that in the event of arrest, petitioner be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local.

It is submitted by the learned advocate for the petitioner that by such order the petitioner was favoured with anticipatory bail, but because of his inability to arrange the local surety, he could not surrender before the learned court below and obtain regular bail.

It is further submitted that there is crisis at the moment to arrange local surety, which may be modified enabling the petitioner to enjoy the fruits of anticipatory bail.

Learned advocate for the State is present and he submits that the bail order was granted on 9th July, 2020 and till date,

the petitioner has not surrendered before the learned court below doing necessary compliance.

Having considered the submissions of both sides and bearing in mind the efforts made by the petitioner to arrange for local surety after the grant of anticipatory bail, we find sufficient justification in the given circumstances of the case to make little modification. We thus dispose of the application being CRAN 2 of 2021 modifying the condition that petitioner, in the event of arrest, be released on bail upon furnishing a bond of Rs.10,000/- with two court sureties of Rs.5,000/- each to the satisfaction of the arresting officer.

The other conditions imposed in the order shall remain unaltered.

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

(Subhasis Dasgupta, J.)

(Tapabrata Chakraborty, J.)