

08.12.2021
Sl. No.18
akd
[ALLOWED]

C. R. M. 4903 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.07.2021 in connection with Nakashipara Police Station Case No. 173 of 2021 dated 16.04.2021 under Sections 363/365/364/302/120B of the Indian Penal Code.

And

In Re: ***Takbir Sekh***

... .. Petitioner

Mr. Prabir Majumder

... .. for the petitioner

Mr. Neguive Ahmed .. Ld. Addl. Public Prosecutor

Ms. Amita Gaur

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 225 days. It is further submitted that the petitioner is not the principal accused.

Learned advocate appearing for the State opposes the prayer for bail and submits that the vehicle used by the principal accused namely, Anisur Sk. was recovered from the residence of the petitioner.

We have considered the materials on record in the light of the aforesaid submission made on behalf of the petitioner. Keeping in mind the extent of complicity of the petitioner in the alleged crime and as the principal accused has already been arrested, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Takbir Sekh***, 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, Nadia 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**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)