

16.12.2021
tkm/ct 28
sl no. 289

C.R.M. 5054 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bowbazar P.S case no. 38 of 2021 dated 25.1.2021 under sections 363/370 of the Indian Penal Code
And

Allowed

In Re : Md. Yusuf petitioner

Mr. Kajal Mukherjee
Mr. Habibur Rahaman

..... for the petitioner

Ms. Sujata Das

..... for the State

Petitioner renews his prayer for bail and submits that he is in custody for 322 days. Charge has not been framed as yet.

Report is placed on record.

Learned lawyer for the State produces the case diary and opposes the prayer for bail.

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime and as there is little progress in the matter since rejection of bail by this court, we are inclined to grant bail to petitioner subject to conditions.

Accordingly, the petitioner released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local to the satisfaction of the learned CMM, Kolkata on condition that he 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 and on further condition that the petitioner while on bail, shall not

leave the jurisdiction of Karaya P.S except for the purpose of investigation and attending court proceeding and shall provide the address where he shall presently reside to the Investigating Officer as well as to the court below and on further condition that the petitioner shall report to the Officer-in-Charge of the concerned P.S within whose jurisdiction he shall reside once a week until further orders.

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 being CRM 5054 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)