

23.09.2021
Serial no. 01
Dd

(Through Video Conference)

CRM 5817 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure filed on **26th August, 2021** in connection with **Itahar** Police Station Case No. **166 of 2015** dated **24.05.2015** under **Sections 395/ 397/ 412/ 419** of the Indian Penal Code arising out of G. R. 960 of 2015.

-And-

In the matter of : Manirul @ Manirul Islam ...Petitioner

Mr. Anindya Ghosh, Advocate
... .. For the Petitioner

Mr. Rudradipta Nandy, Advocate
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is on the same footing as that of other co-accused who were granted bail. He draws the attention of the court to the fact that the police submitted charge sheet and that the petitioner is in custody in excess 233 days. He also submits that the petitioner was not identified in the TI Parade.

Learned advocate appearing for the State submits that the petitioner cannot be said to be on the same footing as that of the other co-accused who were granted bail. He submits that the petitioner was absconding for a considerable period of time. A warrant of arrest was issued against the petitioner. He was declared as absconder.

Considering the fact and circumstances of the present case and considering that the police submitted charge sheet and that four other co-accused were granted bail and that the

petitioner is in custody for 233 days, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 Chief Judicial Magistrate, Raiganj, Uttar Dinajpur subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is **allowed**.

CRM 5817 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)