

20.12.2021
cm/ct 28
sl no. 151

C.R.M. 8353 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Berhampore P.S Case No. 775 of 2021 dated 28.07.2021 under Sections 420/406/467/468/471/120B/34 of the Indian Penal Code & adding Section 409 of the Indian Penal Code.

And

Allowed

In Re : Nasir Ali

..... petitioner

Mr. Anisur Rahaman

Mr. Soumaya Basu Roy Chhowdhury

..... for the petitioner

Mr. S.G. Mukherjee

..... for the State

It is submitted on behalf of the petitioner he is in custody for 128 days. Co-accuseds are on bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Investigation is complete. Keeping in mind the extent of complicity of petitioner in the alleged crime and as co-accuseds are on bail, we are of the opinion petitioner may be granted bail.

Accordingly, the petitioner be 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 CJM, at Berhampore, Murshidabad on condition that the petitioner shall appear before the trial court on every date of hearing 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 being CRM 8353 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)