

31.03.2022

Serial no.94

Dd

CRM(DB) 75 of 2022

In re : An Application under Section 439 of the Code of Criminal Procedure, 1973 for relaxation and/or modification of the condition of interim bail.

-And-

In the matter of : Md. Sakir @ Md. Bittu

... ..Petitioner

Mr. Niladri Sekhar Ghosh,
Mr. Siddhartha Sarkar, Advocates
... .. For the Petitioner

Md. Anwar Hossain,
Ms. Sreyashee Biswas, Advocates
... ..For the State

Petitioner seeks relaxation of one of the conditions of interim bail granted by the jurisdictional Court on July 27, 2021.

Learned advocate appearing for the petitioner submits that the order of interim bail requires the petitioner to submit a surety of Rs.10,000/- which must be local having landed property. He submits that the petitioner is unable to find a local surety with landed property.

State is represented.

It appears that the petitioner was granted interim bail on July 27, 2021 by the jurisdictional Court on the conditions, inter alia, that the petitioner may find interim bail of Rs.20,000/- with two sureties of Rs.10,000/- each, out of which one must be local having landed property. The petitioner unable to find a local surety with a landed

property approached the jurisdictional Court for modification of such condition which was rejected by order dated December 6, 2021. The petitioner is languishing in jail since the order of grant of interim bail on July 27, 2021.

We deem it appropriate to relax the condition for interim bail. The petitioner is at liberty to furnish a local surety instead of a local surety having landed property in terms of order dated July 27, 2021. All other conditions for the grant of interim bail will remain the same.

CRM(DB) 75 of 2022 is disposed of accordingly.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)