

15.02.2022
Serial no.37
Aloke
Ct. No. 29

CRM (DB) 415 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 08.02.2022 in connection with Murutia P.S. Case No. 76 of 2017 dated 14.05.2017 under Section 302 of the Indian Penal Code.

-And-

In the matter of : Hafez Molla @ Hafej Molla
... ..Petitioner

Mr. Asraf Mondal, Advocate
... .. For the Petitioner
Mr. Neguive Ahmed, Id. APP
Ms. Ayantika Ray, Advocate
... ..For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that there is hardly any possibility of the trial concluding any time soon. He submits that the petitioner is in custody for about four years nine months. The police filed charge-sheet. The charges were framed on February 6, 2018. Thereafter, the prosecution is yet to examine any witness.

Learned Additional Public Prosecutor submits that the last date was fixed on February 9, 2022 for further evidence of the prosecution witness no. 1. The next date according to him is in the month of June, 2022.

Considering the period of detention of the petitioner and considering the fact that there is hardly any possibility of the trial concluding any time soon, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 Additional Chief Judicial Magistrate, Tehatta, Nadia, 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 (DB) 415 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)