

22.04.2022

Serial no. 67

[Dd]

(Bail **allowed**)

CRM (DB) 1052 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Bagnan** Police Station Case No. **241 of 2021** dated **04.05.2021** under Sections **302/34** of the Indian Penal Code subsequently charge sheeted under Section **302/34** IPC

-And-

In the matter of : Tahid Khan @ Tahid Rahaman Khan & Anr.
... .. Petitioners

Md. Sarwar Jahan
Mr. Maidul Islam Kayal, Advocates
... .. For the Petitioners

Ms. Anasuya Sinha,
Mr. Pinak Kr. Mitra, Advocates
... ..For the State

Petitioners seek bail.

Learned advocate appearing for the petitioners refers to the statement of the wife of the victim recorded under Section 164 of the Criminal Procedure Code. He submits that there is no material implicating any of the petitioners in the incident. The petitioners are in custody for 11 months 15 days. The police filed charge sheet and, therefore, further detention of the petitioners is not required.

Learned advocate appearing for the State refers to the materials in the case diary.

Considering the period of detention of the petitioners and considering the materials in the case diary, we are inclined to grant bail to the petitioners.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/-

(Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the **Learned Additional Chief Judicial Magistrate, Uluberia, Howrah** subject to condition that the petitioners 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 petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioners in accordance with law without further reference to this Court.

The prayer for bail is **allowed**.

CRM (DB) 1052 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)