

**27.04.2022**

**Serial no. 63**

[Dd]

(Bail **allowed**)

**CRM (DB) 1109 of 2022**

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **01** of **2022** dated **01.01.2022**(Corresponding G.R. No.-**08/2022**) under Sections **498A/304B** of the Indian Penal Code.

-And-

**In the matter of : Nabiul Khan @ Nabiul**

... .. Petitioner

*Mr. Sandipan Ganguly,  
Mr. Arup Sarkar,  
Ms. Sabnam Laskar, Advocates  
... .. For the Petitioner*

*Mr. Saswata Gopal Mukherjee, PP  
Mr. Aniket Mitra, Advocates  
... ..For the State*

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 112 days. Another co-accused was enlarged on bail on March 29, 2022 passed in CRM (DB) 842 of 2022. The petitioner stands in the same footing as that of such co-accused.

Learned advocate appearing for the State does not dispute the claim of parity.

Considering the period of detention of the petitioner and considering the fact that the claim for parity by the petitioner is undisputed on behalf of the State, 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 Additional Chief Judicial Magistrate, Chanchal, Malda** 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 of the petitioner is **allowed**.

CRM (DB) 1109 of 2022 is **disposed of**.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**