

30.05.2022

Court No.5
Item No.58
(ALLOWED)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

CRM (DB) 1468 of 2022

Ab

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 26.05.2022 in connection with New Market Police Station Case No. 12 of 2022 dated 30.01.2022 under Sections 279/308 of the Indian Penal Code read with Sections 3/4 of the Prevention of Damage to Public Property Act and Sections 3(1)/181 of the Motor Vehicles Act;

And

In the matter of : **Sarfaraj Khan.**

...Petitioner

Mr. Soham De Dhara.

...For the Petitioner

**Mr. Joydeep Roy,
Ms. Sujata Das.**

... For the State

The petitioner has filed the instant application for bail under provisions of Section 439 of the Code of Criminal Procedure, 1973 after being arrested in connection with New Market Police Station Case No. 12 of 2022 dated 30.01.2022 under Sections 279/308 of the Indian Penal Code, 1860 read with Sections 3/4 of the Prevention of Damage to Public Property Act, 1984 and Sections 3(1)/181 of the Motor Vehicles Act, 1988 as amended.

We have heard the learned counsel for the parties and perused the case diary.

Considering the period of detention of the petitioner, the gravity of the offence and the extent of prima facie involvement of the petitioner in the alleged offence, we are inclined to grant bail to the

petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000 /- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Metropolitan Magistrate, Calcutta, subject to the condition that the petitioner shall cooperate with the Investigating Officer and shall appear before the trial court whenever necessary.

The application for bail, being CRM (DB) 1468 of 2022, is thus **allowed.**

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

Criminal Section is directed to supply certified copy of this order, if applied for, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)

(Subhendu Samanta, J.)