

01.07.2022
cm/ct 28
Sl. no. 14

C.R.M. (DB) 1775 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Nowda P.S Case No. 247 of 2019** dated **10.09.2019** under Sections **447/302/120B/34** of the Indian Penal Code and under Section 25/27 of Arms Act.

And

In Re : Humayan Sk @ Humayan Kabir @ Humaunsk @ Md. Humaunsek.

..... petitioner

Mr. Sekhar Kr. Basu, Ld. Sr. Adv.
Mr. Bani Israil

..... for the petitioner

Mr. Sudip Ghosh
Mr. Sekhar Barman

..... for the State

Petitioner is in custody for 949 days. He submits co-accused have been released on bail. There is a little progress in the matter.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Allegations are grave but the petitioner is in detention for a protracted period of time and there is a little progress in the matter. Co-accuseds are on bail. Under such circumstances, we are inclined to extend the same relief to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Murshidabad on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM(DB) No. 1775 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)