

29.06.2022.
50.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2039 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P. S. Case No.1379 of 2021 under Sections 306/34 of the Indian Penal Code.

In the matter of : Ahammad Sk. @ Ahamadullah Hossain.
.... Petitioner.

Mr. Rana Mukhopadhyay.
...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee.
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 80 days. It is submitted co-accused has been granted pre-arrest bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. It appears petitioner had blackmailed the victim girl alleging that he would upload her objectionable pictures on the internet. However, no electronic evidence corroborating storage of objectionable pictures in the mobile phone of the petitioner is placed before us. Victim also did not leave behind any suicide note.

In view of the aforesaid facts, period of detention suffered by the petitioner and as investigation is complete, 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/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Malda subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses 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 his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)