

28.07.2022
tkm/ct 28
sl no. 36

C.R.M. (DB) 2475 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Thanarpara P.S Case no. 203 of 2021 dated 22.11.2021 under sections 148/149/323/302/504 IPC and under section 25/27 of the Arms Act and under section 3/4 of the Explosive Substances Act

And

Allowed

In Re : Jakir Hossain Sk

..... petitioner

Mrs. Karabi Roy

..... for the petitioner

Mr. N Ahmed

Ms. Trina Mitra

..... for the State

Petitioner is in custody for 243 days. It is submitted on behalf of the petitioner that he has not been implicated in the statements of witnesses recorded under section 164 Cr.P.C. Co-accused Ejarul Biswas @ Khokon has been enlarged on bail by this court.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner stands on the same footing with Ejarul Biswas @ Khokon who has been enlarged on bail by this court. He is in custody for a considerable period of time.

Under such circumstances, we are inclined to grant bail 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 ACJM, Tehatta, Nadia 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) 2475 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)