

16.08.2022
Sl. No.25
akd
[ALLOWED]

C. R. M. (DB) 2737 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.08.2022 in connection with Uluberia Police Station Case No.146 of 2022 dated 22.05.2022 under Sections 341/325/324/307/379/427/506/34 of the Indian Penal Code. (G.R. Case No.1182 of 2022)

And

In Re: **Sk. Maidul**

... .. Petitioner

Mr. Soumya Basu Roy Chowdhuri

... .. for the petitioner

Ms. Zareen N. Khan

Mr. Arup Sarkar

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 83 days. It is further submitted petitioner has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner has criminal antecedents.

We have considered the materials on record. Bearing in mind the nature of allegations and the period of detention suffered by the petitioner, we are of the opinion though further detention of the accused/petitioner is not necessary, his movement requires to be restricted in order to prevent recurrence of similar incident.

Therefore, the accused/petitioner, namely **Sk. Maidul**, 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, Uluberia, Howrah subject to condition that the said 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 and on further condition that the petitioner, while on bail, shall not enter the jurisdiction of Uluberia Police Station except for the purpose of investigation and/or for attending court proceedings and shall provide the address where he shall presently reside to the Investigating Agency as well as the court below and shall report to the Officer-in-charge of the concerned police station within whose jurisdiction he shall presently reside once in a week until further orders.

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 for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)