

17.08.2022
cm/ct 28
sl no. 22

C.R.M. (DB) 2757 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Baruipur P.S. Case No. 1131 of 2022 dated 21.06.2022 Sections 186/332/333/353/326/307/34 of the Indian Penal Code read with Section 3 of the Prevention of Damage to Public Property Act, 1984.

Allowed

In Re : Nazrul Islam Fakir.

..... petitioner

Mr. Sabyasachi Banerjee
Mr. Apalak Basu
Ms. Pritha Bhaumik
Mr. Niranjana Dey

..... for the petitioner

Mr. Rudradipta Nady, Ld. A.P.P.

..... for the State

Petitioner is in custody for 56 days. It is submitted police personnel ransacked their residence and he has been falsely implicated in the instant case.

Learned Additional Public Prosecutor for the State opposes the prayer for bail. He submits that petitioner is the principal accused who assaulted police officers who had gone to arrest an absconding accused, namely, Nur Alam Fakir.

We have considered the materials on record. Injuries on the police officers are minor in nature. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner i.e. 56 days, we are of the opinion further detention of the petitioner is not necessary and he may be granted bail.

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

Additional Chief Judicial Magistrate, Baruipur, South 24 Parganas
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. 2757 of 2022 is disposed
of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)