

12.09.2022
Sl. No.9
akd
[ALLOWED]

C. R. M. (DB) 2790 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.08.2022 in connection with Baishnabnagar Police Station Case No.01 of 2022 dated 01.01.2022 under Sections 489B/489C/120B of the Indian Penal Code.

And

In Re: **Saddam Hossain @ Saddam Sk.**

... .. Petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 46 days. It is further submitted no counterfeit currency note was recovered from the petitioner.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. No counterfeit currency note was recovered from the possession of the petitioner. His complicity has transpired from the statement of co-accused before a police officer which is inadmissible in evidence. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Saddam Hossain @ Saddam Sk.**, 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 Chief Judicial Magistrate, Malda 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.

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**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)