

31.08.2022
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allowed

CRM(DB) No. 2940 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malipanchghora Police Station Case No. 208 of 2019 dated 13.10.2019 under Sections 302/34 of the Indian Penal Code.

And

In Re : Abdul Jabbar @ Jumban petitioner

Mr. Soumya Basu Roy Chowdhuri
.....for the petitioner

Mr. Binay Panda
Ms. Puspita Saha
..... for the State

Learned Counsel for the petitioner submits he is in custody for 216 days. Co-accuseds have been granted bail.

Learned Counsel appearing for the State opposes prayer for bail and submits trial is in progress.

We have considered materials on record. Co-accuseds have been enlarged on bail. Keeping in mind the aforesaid facts, we are inclined in granting bail to the petitioner.

Accordingly, we direct that the petitioner shall 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 appropriate Court in Howrah. The petitioner will file an affidavit before the investigating officer indicating the petitioner's present residential address and the petitioner will not change such residence without the leave of the trial court. The petitioner will also attend every

date fixed for trial and any unexplained absence will entitle the trial court to cancel the bail without reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)