

08.09.2022
29
sdas
allowed

CRM(DB) No. 3050 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 168 of 2022 dated 24.05.2022 under Sections 417/376/120B of the Indian Penal Code.

And

In Re : Ebadullah @ Abadullah petitioner

Sk. Md. Anwarullah

.....for the petitioner

Mr. Atif Ahmed Siddiqui

..... for the State

Learned Counsel for the petitioner submits he is in custody for 105 days. It is also submitted that he is not the principal accused. Investigation is complete. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail and submits victim is deaf and dumb lady.

We have considered materials on record. Keeping in mind the extent of complicity of the petitioner in the alleged offence and in view of period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to him.

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 learned Chief Judicial Magistrate, Lalbagh, Murshidabad, on condition that he shall not intimidate the witnesses or tamper with evidence in any

manner whatsoever and he shall appear before the trial court on every date of hearing.

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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)