

08.09.2022
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allowed

CRM(DB) No. 3043 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nowda Police Station Case No. 194 of 2021 dated 18.08.2021 under Sections 326/307/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re : Saiful Sk. @ Shaikh petitioner

Mr. Jisan Iqubal Hossain
Ms. Rinita Das

.....for the petitioner

Mr. S. S. Imam
Mr. R. Jana

..... for the State

Learned Counsel for the petitioner submits he is in custody for more than one year. It is also submitted that there is inordinate delay in trial.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. Balancing the nature of allegation with the period of detention suffered by the petitioner and as there is little possibility of trial concluding in the near future, 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, Berhampore, 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.)