

27.09.2022
tkm/ct 28
sl no. 35

C.R.M. (DB) 3262 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chanchal P.S case no. 42 of 2001 dated 22.5.2001 under sections 498A/326/307/34 of the IPC
and

Allowed

In Re : Alam Sk @ Alam Ali

..... petitioner

Mr. Usof Ali Dean
Ms. Sabnam Laskar

..... for the petitioner

Mr. S G Mukherjee, Id PP
Mr. P P Das
Mrs. Manasi Roy

..... for the State

Petitioner was released on bail. It is contended due to miscommunication he was unable to appear before the court below. Warrant of arrest came to be issued and he was re-arrested. Presently he is in custody for 42 days.

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record. Due to miscommunication petitioner was unable to appear before the trial court. Warrant of arrest was issued and he was re-arrested. He is in custody for 42 days. There is little possibility of trial concluding in the near future.

Under such circumstances we are inclined to grant bail to the petitioner, however subject to strict conditions.

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 CJM, Malda 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 and on further condition that the petitioner shall remain within the jurisdiction of Chanchal police station and shall report to the Officer in Charge of the said police station once every fortnight.

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) 3262 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)