

29.09.2022
tkm/ct 28
sl no. 115

C.R.M. (DB) 3432 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Barasat P.S case no. 526 dated 5.8.2022 under sections 341/506/376/448/325/354/509/34 of the IPC
and

Allowed

In Re : Sahin Islam & Anr.

..... petitioners

Mr. N S Ghosh
Ms. S Mukherjee
Ms. S Chatterjee
Mr. S Mondal

..... for the petitioners

Mr. R D Nandy
Ms. Sonali Das

..... for the State

Petitioner submits a prior criminal case alleging cheating was lodged against the victim and her family members. In retaliation the present case has been registered. He prays for bail

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record. There is enmity between the parties. Possibility of false impaction cannot be ruled out.

Under such circumstances and period of detention suffered by the petitioners i.e. 59 days, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned CJM North 24 Pargnas at Barasat on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 3432 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)