

12.10.2022

Vacation Bench
SL No.14
S.Banerjee/s.biswas
(Allowed)

C.R.M. (DB) 3541 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kaliganj** P.S. Case No.**445 of 2021** dated **23.08.2021** under Sections **328/379** of the Indian Penal Code and adding Sections **411/413** of the Indian Penal Code.

And

In the matter of: **Asad Ali Sk @ Choton**

....Petitioner

Mr. Sumanta Das

...for the Petitioner

Mr. Goutam Wilson

...for the State

It is submitted on behalf of the petitioner that the petitioner is in custody for 137 days. He prays for bail.

Learned counsel appearing on behalf of the State opposes the prayer for bail.

We have considered the materials on record. Stolen property has already been recovered.

Under such circumstances, in view of the period of detention suffered by the petitioner and as the co-accused has already been granted bail, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a Bond of ₹10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Chief Judicial Magistrate, Nadia at Krishnagar subject to the condition that the petitioner shall appear before the learned trial court on every day of hearing until further orders

and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail of the petitioner without any further reference to this Court.

The application for bail is, thus, allowed.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)