

31.10.2022
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allowed

CRM(DB) No. 3812 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Barasat Police Station Case No. 526 dated 05.08.2022 under Sections 341/448/325/376/506/354/509/34 of the Indian Penal Code.

And

In Re : Rabiul @ Rabiul Islam petitioner

Mr. Niladri Sekhar Ghosh
Ms. Sampurna Chatterjee
Mr. Sourav Mondal

.....for the petitioner

Mr. Narayan Prasad Agarwala
Mr. Goutam Wilson

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 86 days. Co-accuseds are on bail.

Learned Counsel appearing for the State opposes prayer for bail.

In view of the facts and circumstances of the case and as co-accuseds are on bail, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall 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 Chief Judicial Magistrate, North 24 Parganas at Barasat, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further

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

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)