

18.11.2022.
13.
as
(Allowed)

C.R.M. (DB) 4023 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baishnabnagar P.S. Case No.279 of 2022 dated 01.04.2022 under Sections 302/201 of the Indian Penal Code and charge sheet submitted under Sections 302/364/201/34 of the Indian Penal Code.

In the matter of : Ohedur Rahaman.

.... Petitioner.

Mr. A. Bhattacharjee,
Mr. S. Saha.

...for the Petitioner.

Mr. N. Ahamed, ld. A.P.P.,
Ms. Trina Mitra.

...for the State.

Petitioner is in custody for 251 days. Co-accused Parvej Ahamed @ Ahmed is on bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Co-accused Parvej Ahamed @ Ahmed has been enlarged on bail. Case is based on circumstantial evidence.

In view of the aforesaid facts and period of detention suffered by him, we are inclined to grant bail to the petitioner.

Accordingly, 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, Malda subject to condition he shall appear before the trial court on every date of

hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall reside outside the jurisdiction of Baishnabnagar P.S. except for the purpose of attending court proceeding and shall provide address where he shall presently reside to the investigating officer as well as to the court below and shall report to the officer in charge of the concerned P.S. within whose jurisdiction he shall presently reside once in a week until further orders.

In the event the petitioner fails to appear before the Trial Court without any 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, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)