

30.11.2022
SI. No.26
akd
[ALLOWED]

C. R. M. (DB) 4208 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.11.2022 in connection with Bidhannagar (South) Police Station Case No. 106 of 2022 dated 12.06.2022 under Sections 384/387/323/506/376 of the Indian Penal Code. (G.R. Case No.612 of 2022)

And

In Re: ***Mabudul Islam***

... .. Petitioner

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

... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Trina Mitra

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 105 days.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Balancing the nature of accusation with the period of detention suffered by the petitioner and as there is little possibility of the trial commencing let alone concluding in the near future, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Mabudul Islam***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Bidhannagar, North 24-Parganas subject to condition that the said petitioner 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.

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 for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)