

14.12.2022
Sl. No.13
akd
[ALLOWED]

C. R. M. (DB) 4213 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.11.2022 in connection with Gangarampur Police Station Case No.273 of 2022 dated 27.05.2022 under Sections 341/323/326/34/307 of the Indian Penal Code. (G.R. Case No.603 of 2022)

And

In Re: ***Khakchhar Ali Mir @ Khakchar Ali Mir @ Kaksar Ali Mir***
... .. Petitioner

Mr. Kaushik Chaudhury
Ms. Busra Khatoon

... .. for the petitioner

Ms. Faria Hossain
Mr. Anand Kesari

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 44 days. Co-accuseds have been enlarged on bail.

Learned Advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Co-accuseds have been enlarged on bail. Keeping in mind the facts and circumstances of the case and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Khakchhar Ali Mir @ Khakchar Ali Mir @ Kaksar Ali Mir***, 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, Gangarampur at Buniadpur, Dakshin Dinajpur 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.)