

02.12.2022.
24.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4252 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.308 of 2022 dated 17.05.2022 under Section 364A of the Indian Penal Code.

In the matter of : Amir Mehabubullah.

.... Petitioner.

Mr. Navanil De,
Mr. Rajeshwar Chakraborty,
Mr. Srijan Ghosh,
Mr. Subhrajit De.

...for the Petitioner.

Mr. Neguive Ahamed, Id. A.P.P.

...for the State.

Petitioner is in custody for 185 days. Co-accused has been granted bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Co-accused is on bail. Investigation is complete. There is no possibility of the trial concluding in the near future.

Under such circumstances, we are inclined to grant bail to the petitioner subject to strict conditions.

Accordingly, the petitioner viz., Amir Mehabubullah 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, Nadia at Krishnanagar 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 while on bail shall not enter the jurisdiction of Beldanga Police Station except for the purposes of investigation and/or attending court proceeding and shall provide the address where he shall reside while on bail to the Investigating Officer as well as the court below and report to the Officer-in-charge of the concerned Police Station within whose jurisdiction he shall 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.)