

16.12.2022

Sl. No.4
akd
[ALLOWED]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (DB) 458 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.12.2022 in connection with Pundibari Police Station Case No.488 of 2022 dated 01.09.2022 under Sections 447/325/326/307/354/427/506/34 of the Indian Penal Code. (G.R. Case No.1489 of 2022)

And

In Re: **Maksedul Haque @ Makasedula Haque**
... .. Petitioner

Md. Sabir Ahmed
Mr. Hillol Saha Podder
... .. for the petitioner

Mr. Aditi Sankar Chakraborty .. Id. Addl. Public Prosecutor
Mr. Kallol Acharjee
... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 30 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 aforesaid facts and circumstances, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely **Maksedul Haque @ Makasedula Haque**, 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 Chief Judicial Magistrate, Cooch Behar 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.)