

23.02.2023
tkm/ct 28
sl no. 63

C.R.M. (DB) 734 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Manikchak P.S case no. 59 of 2023 dated 22.1.2023 under sections 341/323/506/34 of the IPC and section 10 of the POCSO Act

Allowed In Re : Samiul Rahaman @ Raju Sk petitioner

Mr. A Karmakar
Mr. A K Bhowmick
Md. S Mia

..... for the petitioner

Mr. Shiladitya Banerjee

..... for the State

Heard learned lawyers for the parties.

We have considered the materials on record. Petitioner is in custody for 27 days. Balancing the nature of accusation with the period of detention suffered by the petitioner we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 Additional District and Sessions Judge, 2nd Court, Special Court, Malda on condition that the petitioner shall appear before the trial court on every date of hearing 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 being CRM (DB) 734 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)