

13.03.2023
Sl. No.150
akd
[ALLOWED]

C. R. M. (DB) 886 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.03.2023 in connection with Hare Street Police Station Case No.17 of 2023 dated 21.01.2023 under Sections 143/147/149/152/332/333/283/307/427 of the Indian Penal Code read with Section 3 of the Prevention of Damage to Public Property Act and Sections 8/9 of the West Bengal Maintenance of Peace and Public Order Act, 1972.

And

In Re: ***Md. Abdul Maleque Molla***

... .. Petitioner

Mr. Arindam Jana

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Add. Public Prosecutor
Mr. Subrata Roy

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 40 days. Co-accuseds have been enlarged on bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Co-accuseds have been enlarged on bail. Under such circumstances 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 ***Md. Abdul Maleque Molla***, 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 Metropolitan Magistrate, Calcutta 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.)