

21.03.2023
42
sdas
allowed

CRM(DB) No. 1003 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Amherst Police Station Case No. 21 of 2022 dated 26.01.2022 under Sections 406/420/467/468/469/471/120B of the Indian Penal Code.

And
In Re : Majid Akhtar petitioner

Mr. Pawan Kumar Gupta
Ms. Sofia Nessar
Mr. Shahnawaz Alam
.....for the petitioner

Mr. Madhu Sudan Sur, learned APP
Mr. Manaranjan Mahata
..... for the State

Learned Counsel for the petitioner submits he is in custody for 139 days. It is also submitted he has been falsely implicated. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner had relied on forged deeds and instituted a civil suit to grab the property in question.

We have considered the materials on record. Petitioner is the principal offender. He had relied on forged deeds to grab the property. Copies of deeds have already been seized and investigation is complete. Charge-sheet is filed. Further detention of the petitioner is not necessary and under such circumstances we are inclined to grant bail to him.

Accordingly, we direct that the petitioner 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 Additional Chief Metropolitan Magistrate II at Calcutta, subject to the condition that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)