

10.04.2023
tkm/ct 28
sl no. 55

C.R.M. (DB) 1405 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Amherst Street P.S case no. 21 of 2022 dated 26.1.2022 under sections 406/420/467/468/469/471/120B of the IPC

and

Allowed

In Re : Sajid Akhtar

..... petitioner

Mr S Siddique

Mr. P Gupta

Ms. S Nehar

Mr. S Alam

..... for the petitioner

Mr. M Sur

Mr. D Paramanick

..... for the State

Petitioner is in custody for 129 days. He submits co-accused has been granted bail in March 2023. Accordingly he renews his bail prayer.

Learned lawyer for the State opposes bail. He submits bail prayer of the petitioner was rejected earlier on merits in February 2023.

We have considered the materials on record. Though bail prayer was rejected on merits earlier, co-accused Mojid Akhtar has been enlarged on bail in March 2023. In view of such change in circumstance and as offences are triable by Magistrate and investigation is complete, 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 ACMM II, Calcutta 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) 1405 of 2023 is disposed of.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)