

20.04.2023
Sl. No.46
akd
[ALLOWED]

C. R. M. (DB) 1595 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.04.2023 in connection with Nakashipara Police Station Case No.106 of 2023 dated 09.02.2023 under Sections 272/273/379/411/120B of the Indian Penal Code.

And

In Re: ***Kuddus Ali***

... .. Petitioner

Mr. Prabir Majumder

... .. for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 52 days. It is further submitted coriander seeds have been seized. Accordingly, further detention for progress of investigation is not necessary.

Learned Advocate for the State opposes the prayer for bail and submits forensic report is awaited.

We have considered the materials on record. Alleged adulterated item has already been seized. Forensic report is awaited. Progress of investigation including collection of forensic report do not require further detention of the petitioner. He has no criminal antecedents. Under such circumstances and in view of the period of detention suffered by the petitioner, we are inclined to grant bail to him.

Therefore, the accused/petitioner, namely ***Kuddus Ali***, 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, Nadia at Krishnanagar 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.)