

02.05.2023

Item No.4

Ct.No.34

dc.

Allowed

C.R.M. (SB) 86 of 2023

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Murshidabad Police Station Case No. 82 of 2023 dated 31.01.2023 (G.R. Case No. 290 of 2023) under Sections 341/325/308/34 of the Indian Penal Code.

And

In Re : **Alam Hossain @ Alam Hassain**

... Petitioner.

Mr. Soumyajit Das Mahapatra,
Mr. Ali Ahsan Alamgir,
Ms. Rabia Khatoon,
Mr. J. Modak

... For the Petitioner.

Mr. Binay Panda,
Mr. S. K. Bhakat

... For the State.

Mr. Mahapatra, learned advocate appearing for the petitioner submits that the present petitioner is in custody for about 58 days and the investigating agency on conclusion of investigation, has already submitted charge-sheet. Learned advocate further submits that similarly placed accused persons have been granted bail by the learned Additional Sessions Judge, Lalbagh, Murshidabad.

Mr. Panda, learned advocate appearing for the State opposes the prayer for bail and draws the attention of the Court to the statement of the witnesses as also the medical report.

I have considered the period of detention of the present petitioner and the stage of the case. Having considered the

materials appearing and the fact that there is no scope for trial commencing very soon, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Alam Hossain @ Alam Hassain** shall be released on bail upon furnishing 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 Additional Sessions Judge, Lalbagh, Murshidabad.

If on bail, the petitioner shall stay outside the jurisdiction of Murshidabad Police Station. The petitioner shall enter the said jurisdiction for the limited purpose of attending the Officer-in-Charge or any police officer deputed by the Officer-in-Charge once in a week.

The petitioner shall be available on each and every date when the learned trial court is pleased to fix date for the purposes of the case.

The learned Additional Sessions Judge, Lalbagh, Murshidabad once in a month will call for compliance from the Inspector-in-Charge, Murshidabad Police Station regarding the attendance of the petitioner and retain the same in the lower court records.

The petitioner shall also inform his address to the Officer-in-Charge/Inspector-in-Charge, Murshidabad Police Station as also the learned Additional Sessions Judge, Lalbagh, Murshidabad.

The application for bail, being CRM (SB) 86 of 2023, is, thus, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)