

15.05.2023
tkm/ct 28
sl no. 50

C.R.M. (DB) 1931 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with English Bazar PS case no. 143 of 2018 dated 19.2.2018 under sections 395/397/412/307 of the IPC read with sections 25/27/35 of the Arms Act and under sections 3/4 of the Explosive Substance Act

And

Allowed

In Re : Ismaile Haque @ Gedua @ Lambu petitioner

Ms. M Gomes

..... for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

..... for the State

Heard learned lawyers for the parties.

We have considered the materials on record. Petitioner is in custody for more than five years. He submits there is delay in trial. Co-accused are on bail. Petitioner stands on the same footing with the said co-accused and petitioner is entitled to same relief.

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 CJM, Malda 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 she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application being CRM (DB) 1931 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)