

D/L 4
23.06.2023
subha

C.R.M. (SB) 98 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973, filed in connection with Shibpur Police Station Case No.418 of 2022 dated 14.12.2022 under Sections 195A/34 of the Indian Penal Code.

Aktar Ali @ Akhter Ali and another
Versus
The State of West Bengal

Mr. Milon Mukherjee, Sr. Advocate,
Mr. Mrityunjoy Chatterjee
...for the petitioners.

Mr. Rudradipta Nandy, Id. APP
Ms. Sonali Das .
...for the State.

At the inception, it has been pointed out by Mr. Milon Mukherjee, learned advocate for the petitioners that although the case diary of Shibpur P.S Case No. 418 of 2022 dated 14.12.2022 was produced before this court, but inadvertently the same has been recorded as Shibpur P. S. Case No. 814 of 2022. Necessary correction in the application which has been filed be made.

Mr. Nandy, learned Additional Public Prosecutor also submits that the case diary which was produced is of Shibpur P.S. Case No. 418 of 2022.

The order dated 08.6.2023 and the directions passed therein would refer to Shibpur P. S. Case No. 418 of 2022.

Mr. Mukherjee, learned senior advocate appearing on behalf of the petitioners submits that although the bail was granted on 8th June, 2023, but after about two weeks expiring, the petitioners

could not get any local surety within the jurisdiction of the residence of the jurisdiction where they reside. However, Mr. Mukherjee, learned Senior advocate for the petitioners submits that he has been able to obtain a surety in the district of Howrah having his place of residence and who is ready and willing to deposit the title deed within the jurisdiction of Sankrail P.S.

Accordingly, the order dated 8.06.2023 is modified to the limited extent that the phrase 'local surety' which has been incorporated therein would refer to a person within the jurisdiction of the district of Howrah, and it the title deed of his property which would be deposited with the Court.

So far as the rest of the conditions are concerned, it would remain the same and the petitioners are directed to comply with the said conditions.

As such, the application being CRAN 1 of 2023 is 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 of all requisite formalities.

(Tirthankar Ghosh, J.)