

13.06.2023

Sl. 41

Court No. 29

sdas

(Allowed)

C.R.M. (DB) 2229 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **R.C. No.04/S/2010 – Kol** under Sections **120B/302/307/323/325/326/440** of the Indian Penal Code read with Sections **150/151** of the Railways Act and Sections **16/18** of the Unlawful Activities (Prevention) Act.

And

In the matter of: **Altaf Hussain Sayed @ Altab Hossain @ Altaf Hossain Syed @ Altaf Hossain**

....petitioner.

Mr. Kaushik Gupta
Mr. Anirban Tarafder

...for the petitioner.

Mr. Amajit De

...for the CBI.

1. Heard learned Counsel for the parties.
2. All the accused persons namely Mantu Mahato and four others and Ram Mudi & Ors. are stated to have been released on bail vide orders passed in CRM 407 of 2021, CRM(DB) 382 of 2023 and CRM (DB) 441 of 2023.
3. The petitioner is stated to be in custody for about 13 years. Out of 224 witnesses 175 witnesses are stated to be examined by the trial court in the meantime. From the case in which the trial is going on it is not expected to be concluded within a reasonable time especially in view of the nature of offence and the types of witnesses to be examined.
4. It is fairly submitted at the Bar that the present petitioner is similarly circumstanced with the co-accused persons mentioned above, who have already been released on bail by a co-ordinate Bench of this Court.
5. Regard being had to such facts and submissions, factum of

permanent residence of the petitioner and the question of parity, it is directed that the present petitioner shall be released on bail by the learned Additional Sessions Judge, Re-designated Court, Paschim Medinipur, on such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with R.C. No. 04/S/2010-Kol corresponding to Jhargram G.R.P.S. Case No. 5 of 2010 dated 28.05.2010 including the conditions that i) the petitioner shall not leave the jurisdiction of the trial court for a period of 15 days continuously without obtaining leave of the learned Trial Judge; ia) if the petitioner goes outside with the leave of the trial court he shall drop a pin in the map through mobile phone and forward the same to the Bench clerk of the court during the period he is outside the jurisdiction of the court; ib) the petitioner shall leave his mobile number and his address with the Officer-in-Charge of Jhargram Police Station immediately after his release on bail; ii) the petitioner shall appear before the Court on each date of substantive hearing subject to provision of Section 317 Cr.P.C.; iii) the petitioner shall not threaten or induce any witness of this case in any manner whatsoever; iv) the petitioner shall not involve himself in similar offence during currency of this order.

6. In the event the petitioner fails to comply the conditions of this order the trial court shall have jurisdiction to cancel his bail after giving due notice of hearing to the petitioner.
7. Accordingly, the prayer for bail is allowed.

8. The application being **CRM (DB) 2229 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

