

1107.2023
D/L 52
Ct. No.28
allowed
(SKB)

CRM (DB) 2487 of 2023

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with S.T. 31 of 2019 arising out of Dankuni Police Station Case No. 170 of 2018 dated 30.05.2018 under Sections 365/367//370/371 adding Section 376D of the Indian Penal Code and Section 4, 5, 6, 7, 9 of the Immoral Traffic (Prevention) Act

And

In the matter of : Sk. Jamsed Ali @ Jashed
... Petitioner

Mr. Neil Basu
... for the petitioner

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

Petitioner is in custody for more than five years.
Vulnerable witnesses have been examined. He prays for bail.

Learned advocate for the State opposes the bail prayer.
He submits report.

We have considered the materials on record.
Vulnerable witnesses have already been examined.
Petitioner is in custody for a protracted period of time.
Offences even if proved would not attract mandatory life imprisonment.

Under such circumstances and in view of the period of detention suffered by the petitioner i.e. more than five years, we are of the opinion further detention of the petitioner is not necessary.

Accordingly, petitioner namely Sk. Jamsed Ali @ Jashed 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 ACJM, Serampore 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 and on further condition that the petitioner while on bail shall not leave the jurisdiction of the district of Hooghly and shall provide the address where he shall presently reside to the investigating agency as well as the court below and shall report to the Officer-in-Charge, Dankuni Police Station once in a week until further orders.

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 being CRM (DB) 2487 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)