

08.08.2023
(D/L 21)
Ct. No.29
Allowed
(SKB)

CRM (A) 2853 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Chakulia P.S. Case No.86 of 2021 dated 03.04.2021 under Sections 395/397/412 of the Indian Penal Code (G.R. Case No.759 of 2021).

In the matter of : Md. Manzar Alam @ Manjar Alam
... Petitioner

Md. Wasim Akram
... for the petitioner

Mr. Saibal Bapuli, APP
Mr. Arani Bhattacharyya
... for the State

1. Heard the learned Counsel for the parties.
2. The basis of implication of the present petitioner is that the motorcycle belonging to him was seized at the instance of the co-accused person involved in the aforesaid offence.
3. Learned counsel for the petitioner submits that the motorcycle in question was given to one Wasim Akram through a power of attorney and the said Wasim Akram handed the said motorcycle to one Monoj Dhali. Charge-sheet in the case has already been submitted.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall

surrender before the learned ACJM, 1st Court, Islampur, Uttar Dinajpur in the G.R. Case No.759 of 2021 arising out of the aforesaid P.S. case within 15 days from today. On his surrender and application for bail, he shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that the petitioner shall appear before the said court on each date of substantive hearing during trial subject to provision of Section 317 Cr.P.C.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being CRM(A) 2853 of 2023 is disposed of.
7. The learned court below is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)