

14.07.2023
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allowed

CRM(DB) No. 2787 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliganj Police Station Case No. 275 of 2022 dated 05.05.2022 under Sections 447/427/326/34 of the Indian Penal Code.

And

In Re : Hasan Sk. petitioner

Mr. Asraf Mandal

....for the petitioner

Mr. S. S. Imam

Mr. S. Kundu

.... for the State

Learned Counsel for the petitioner submits he is in custody for 80 days. It is also submitted by him that the co-accused has been granted bail. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner stands on the same footing with co-accused who has been enlarged on bail. Hence, he is entitled to same relief.

Accordingly, we direct that the petitioner shall 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 Chief Judicial Magistrate, Nadia at Krishnagar, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)