

14.07.2023
Sl. No.39
akd
[ALLOWED]

C. R. M. (DB) 2804 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.07.2023 in connection with English Bazar Police Station Case No.147 of 2023 dated 29.01.2023 under Sections 489B/489C/120B/34 of the Indian Penal Code. (G.R. Case No.541 of 2023)

And

In Re: **Sayed Ali @ Chand**

... .. Petitioner

Ms. Sreyashee Biswas
Ms. Benajir Hasna
Mr. Aliul Islam

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor
Mr. Bibaswan Bhattacharya

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 163 days. Investigation is complete. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. No fake Indian currency note has been recovered from the petitioner. There is no chance of his abscondence. Investigation is complete. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Sayed Ali @ Chand**, 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 Chief Judicial Magistrate, Malda 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.

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 for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)