

28.07.2023
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allowed

CRM(DB) No. 2989 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. 484 of 2022 dated 28.07.2022 under Sections 447/325/326/307/34 of the Indian Penal Code.

And

In Re : Fazlur Mallick alias Fajlub Mallick petitioner

Mr. Kusal Kumar Mukherjee

Ms. Eshita Aich

....for the petitioner

Ms. Zareen N. Khan

Md. Kubuddin

..... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Co-accused are on bail. Petitioner is in custody for 386 days. Petitioner is not the principal accused. Investigation is complete. Accordingly, we are inclined to grant bail to the petitioner.

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.)