

03.08.2023
Sl. No.23
akd
[ALLOWED]

C. R. M. (DB) 3073 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.07.2023 in connection with Kaliganj Police Station Case No.336 of 2010 dated 24.06.2010 under Sections 364/379/120B of the Indian Penal Code.

And

In Re: ***Kowsar Sk. @ Sikary***

... .. Petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder

... .. for the petitioner

Mr. Sourav Mukherjee

... .. for the de-facto complainant

Md. Anwar Hossain
Ms. Sreyashee Biswas

... .. for the State

It is submitted on behalf of the petitioner that he had a love affair with one Serina Khatun Bibi. They were residing together since 2010. Subsequently, a criminal case was registered. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

Learned Advocate for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Serina Khatun Bibi has already been traced. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Kowsar Sk. @ Sikary***, 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, Nadia at Krishnanagar 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)