

04.08.2023
Sl. No.12
akd
[ALLOWED]

C. R. M. (DB) 3086 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.07.2023 in connection with Chanchal Police Station Case No.763 of 2023 dated 30.06.2023 under Sections 341/326/354/307/34 of the Indian Penal Code. (G.R. Case No.1844 of 2023)

And

In Re: **Aminul Hoque @ Sajerul @ Sajerul Hoque**
... .. Petitioner

Mr. Sourav Mukherjee
Ms. Roma Roy

... .. for the petitioner

Mr. S. S. Imam
Mr. R. Jana

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 34 days. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record including the injury report. Injuries do not appear to be life-threatening. Balancing the nature of accusation with the period of detention suffered by the petitioner and as there is no chance of his abscondence, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Aminul Hoque @ Sajerul @ Sajerul Hoque**, 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 Additional Chief Judicial Magistrate, Chanchal, 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)