

09.08.2023
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allowed

CRM(DB) No. 3144 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 10 of 2023 dated 04.01.2023 under Sections 489B/489C/120B of the Indian Penal Code.

And
In Re : Halim Khan petitioner

Mr. A. Bhattacharjee
Mr. S. Saha
.....for the petitioner

Mr. Madhusudan Sur, learned APP
Mr. Dipankar Paramanick
..... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. No fake Indian currency note was recovered from the possession of the petitioner. He is in custody for 351 days. Co-accused are on bail. Under such circumstances further detention of the petitioner is not necessary and he may be granted bail.

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, Malda, 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.)