

10.08.2023
Sl. No.21
akd
[ALLOWED]

C. R. M. (DB) 3167 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.08.2023 in connection with Dankuni Police Station Case No.170 of 2018 dated 30.05.2018 under Sections 365/367/370/371/376D of the Indian Penal Code and Sections 4/5/6/7/9 of the Immoral Traffic (Prevention) Act, 1956.

And

In Re: **Anarul Haque**

... .. Petitioner

Mr. Neil Basu
Mr. Sankha Biswas

... .. for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than five years. It is further submitted there is delay in trial. Co-accused has been enlarged on bail. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Most of the vulnerable witnesses have been examined. Co-accused has been enlarged on bail. Keeping in mind the aforesaid facts and 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 **Anarul Haque**, 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, Serampore, Hooghly 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.)