

22.09.2023
Sl. No.43
akd
[ALLOWED]

C. R. M. (DB) 3691 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.09.2023 in connection with Nabagram Police Station Case No.154 of 2021 dated 21.06.2021 under Sections 406/420/467/468/471/472/473/120B of the Indian Penal Code. (G.R. Case No.1851 of 2021)

And

In Re: ***Ansar Ali @ Md. Ansar Ali***

... .. Petitioner

Mr. Ali Ahsan Alamgir
Ms. Soma Mal
Ms. Rabia Khatoon

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mrs. Sonali Das

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than two years. It is further submitted there is little possibility of trial concluding in the near future. Co-accused have been enlarged on bail. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail.
3. We have considered the materials on record. Offences are triable by Magistrate. Co-accused have been enlarged on bail. Under such circumstances and in view of the period of detention suffered by the petitioner, we are inclined to extend the same relief to him.
4. Therefore, the accused/petitioner, namely ***Ansar Ali @ Md. Ansar Ali***, 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 District Judge, 2nd Court, Murshidabad at Berhampore 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.

5. 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.
6. The application for bail, thus, stands allowed.
7. Trial court is directed to conduct the trial with utmost expedition and conclude the same at an early date. Petitioner and co-accused shall cooperate with the trial court in this regard.
8. Parties shall communicate a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)