

05.10.2023
Sl. No.32
akd
[ALLOWED]

C. R. M. (DB) 3828 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.09.2023 in connection with Nowda Police Station Case No.173 of 2023 dated 25.05.2023 under Sections 325/326/302/34 of the Indian Penal Code. (G.R. Case No.2338 of 2023)

And

In Re: **Kuddus Molla**

... .. Petitioner

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

... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Trina Mitra

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 133 days. Co-accused has been enlarged on bail. Investigation is complete. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail.
3. We have considered the materials on record. Co-accused has been enlarged on bail. Investigation is complete. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Kuddus Molla**, 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, 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)