

16.10.2023
Sl. No.51
akd
[ALLOWED]

C. R. M. (DB) 4028 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.10.2023 in connection with Nabagram Police Station Case No.154 of 2021 dated 21.06.2021 under Sections 420/406/409/467/468/471/120B of the Indian Penal Code. (G.R. Case No.1851 of 2021)

And

In Re: ***Alamgir Sk. @ Alam***

... .. Petitioner

Mr. Arnab Chatterjee

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor

Mr. Bibaswan Bhattacharya

... .. 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 delay in trial. Co-accused have been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State 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, we are inclined to extend the same relief to the petitioner also.
4. Therefore, the accused/petitioner, namely ***Alamgir Sk. @ Alam***, 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.)