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allowed

CRM(DB) No. 4059 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malipanchghora Police Station Case No. 35 of 2021 dated 27.02.2021 under Sections 302/506/120B of the Indian Penal Code read with Sections 25/27 of the Arms Act.

In Re : Md. Saddam

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Majumder
....for the petitioner

Mr. Rudradipta Nandy, learned APP
Mr. Iqbal Kabir
Ms. Sutapa Banerjee
.... for the State

1. Learned Counsel for the petitioner submits he is in custody for seven months. Co-accused have been enlarged on bail by this Court as well as Hon'ble Apex Court. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Co-accused have been granted bail. Under such circumstances, petitioner is entitled to the same relief and is enlarged on bail.

4. 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, Howrah, 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.

5. 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.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)