

28.11.2023
Sl. No.47
akd
[ALLOWED]

C. R. M. (DB) 4267 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.10.2023 in connection with Kushmandi Police Station Case No.82 of 2023 dated 14.04.2023 under Sections 341/323/325/326/307/354/34 of the Indian Penal Code. (G.R. Case No.354 of 2023)

And

In Re: ***Dasiruddin Ahammed @ Dachhiraddin Ahammed***
... .. Petitioner

Mrs. Jeenia Rudra
... .. for the petitioner

Mr. Kaushik Chaudhury
Ms. Busra Khatoon
... .. for the de-facto complainant

Mr. Binay Panda
Ms. Puspita Saha
... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 73 days. Co-accused have been granted pre-arrest bail. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. Learned Advocate for the de-facto complainant also opposes the prayer for bail.
4. We have considered the materials on record. Petitioner is not the principal accused. Co-accused have been granted pre-arrest bail. Investigation is complete. There is no chance of abscondence of the petitioner. 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.
5. Therefore, the accused/petitioner, namely ***Dasiruddin Ahammed @ Dachhiraddin Ahammed***, 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, Gangarampur at Buniadpur, Dakshin Dinajpur 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.

6. 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.
7. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)