

20.12.2023
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allowed

CRM(DB) No. 4661 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Habra Police Station Case No. 705 of 2021 dated 03.10.2021 under Sections 448/326/307/506 of the Indian Penal Code.

And

In Re : Khurshid Alam Mandal @ Khurshid Petitioner

Mr. Sumanta Chakraborty

....for the petitioner

Mr. Iqbal Kabir

.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. Petitioner is in custody for over a year. Though allegations are grave there is no possibility of trial concluding in the near future. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to him.

3. 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 Additional Chief Judicial Magistrate, Barasat, North 24-Parganas, 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.

4. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)