

29.02.2024
Sl. No.77
akd
[ALLOWED]

C. R. M. (DB) 579 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.02.2024 in connection with Chapra Police Station Case No.917 of 2023 dated 29.11.2023 under Sections 302/34 of the Indian Penal Code.

And

In Re: **Saiful Molla**

... .. Petitioner

Mr. Sabir Ahmed
Ms. Suman Biswas
Mr. Tasmin Ahamed
Mr. Dhiman Banerjee

... .. for the petitioner

Mr. Arijit Ganguly
Mr. Koushik Kundu

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 91 days. Co-accused have been enlarged on bail. Accordingly, he prays for bail on parity.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Case is based on circumstantial evidence. Co-accused have been enlarged on bail. Petitioner stands on the same footing with the said co-accused. 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 **Saiful 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, Nadia 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.)