

13.03.2024
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allowed

CRM(DB) No. 793 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sankrail Police Station Case No. 1126 of 2021 dated 15.09.2021 under Sections 395/412 of the Indian Penal Code.

And

In Re : Abdul Quasim @ Kochi @ Bihari @ Langra petitioner

Sk. Toslim Ali

....for the petitioner

Mr. Soumik Ganguli

.... for the State

1. Learned Counsel for the petitioner submits he is in custody for 780 days. It is also submitted there is delay in trial. Co-accused are on bail. Accordingly he prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits three witnesses have been examined.

3. We have considered the materials on record. Petitioner is in custody for a considerable period of time. Only four out of twenty nine witnesses have been examined. There is little possibility of trial. Co-accused are on bail. Accordingly, we are inclined to grant bail to the petitioner.

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 Additional District & Sessions Judge, 3rd Court, 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)