

08.04.2024
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allowed

CRM (DB) No. 1038 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Murshidabad Police Station Case No. 110 of 2024 dated 17.02.2024 under Sections 379/411/413/414/34 of the Indian Penal Code.

And

In Re : Rahamatulla Chowdhury @ Rahamotulla Choudhury
..... petitioner

Mr. Partha Sarathi Bhattacharyya
Mr. Bhaskar Seth

....for the petitioner

Ms. Minoti Gomes
Mr. Asraf Mandal

.... for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. Stolen article has already been recovered. Petitioner is in custody for 51 days. He has no criminal antecedents. Further detention for progress of investigation is not necessary. Accordingly, we are inclined to grant bail to the petitioner.
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, Lalbagh, Murshidabad, 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.

(Prasenjit Biswas, J.)

(Joymalya Bagchi, J.)