

12.04.2024.
69.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1099 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malipanchghora P.S. Case No.35 of 2021 dated 27.02.2021 under Sections 302/506/120B of the Indian Penal Code and Sections 25/27 of the Arms Act.

In the matter of : **Sufi Mohammad @ Sufi Mahammad @ Bablu.**

.... Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder.

...for the Petitioner.

Mr. Partha Pratim Das,
Mr. Atanu Ghosh.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is in custody for three years and one month. Case is based on circumstantial evidence. Co-accused have been enlarged on bail.
3. In view of the aforesaid facts, we are of the opinion no worthwhile purpose would be served in continuing the under-trial detention of the petitioner. Hence, we are inclined to enlarge the petitioner on bail.
4. Accordingly, the petitioner viz., **Sufi Mohammad @ Sufi Mahammad @ Bablu** 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 Chief Judicial Magistrate, Howrah subject to condition that he 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 the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)