

30.04.2024
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allowed

CRM (DB) No. 1146 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 861 of 2023 dated 18.12.2023 under Sections 448/376/506 of the Indian Penal Code.

And

In Re : Sujauddin Islam @ Sujauddin Sk. petitioner

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

....for the petitioner

Mr. Partha Pratim Das
Mr. Aslam Parvez

.... for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. There is delay in lodging FIR. Credibility of prosecution case requires to be considered in the light of the aforesaid circumstance during trial. Petitioner is in custody for 136 days. Investigation is complete. There is no chance of abscondence. 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 Chief Judicial Magistrate, Berhampore, 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)