

16.04.2024
43
sdas
allowed

CRM (DB) No. 1153 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhimpur Police Station Case No. 327 of 2023 dated 23.08.2023 under Sections 379/411/413/414/120B of the Indian Penal Code.

And

In Re : Samsul Molla @ Somsul Molla petitioner

Mr. Sumanta Das
Ms. Atreyee Halder

....for the petitioner

Mr. Soumik Ganguly
Mr. Arabinda Manna

.... for the State

1. Learned Counsel for the petitioner submits he is in custody for over sixty days. No stolen property was recovered from the possession of the petitioner. Investigation is complete. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer.

3. We have considered the materials on record. No stolen property was recovered from the possession of the petitioner. Investigation is complete. Under such circumstances, 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 Chief Judicial Magistrate, Krishnanagar, Nadia, 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)