

22.04.2024
Serial no. 1
[G.S.D]

CRM (SB) 48 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Panchla P.S. Case No. 91 of 2023 dated April 05, 2023 under sections 448/323/195-A/506/34 of the IPC.**

-And-

In the matter of : Akkasuddin Molla @ Akashuddin Molla @ Akkasuddin

... .. Petitioner

Mr. D. Chatterjee

Mr. Asit Nayek ... for the petitioner

Mr. Atif Ahmed Siddiqui ... for the State

Mr. Soumya Basu Roy Chowdhuri

... for the defacto-complainant

Leave is granted to the petitioner to correct the cause-title.

Ld. Advocate for the petitioner submits that the petitioner is in custody for about 145 days. The investigating agency on conclusion of investigation has already submitted charge-sheet in connection with the instant case.

It is further seen from the records of the case that the present petitioner was granted bail in connection with the main case which was registered for investigation under sections 376/417/313 of the IPC.

Ld. Advocate therefore submits that on any stringent condition, the petitioner may be released on bail.

Ld. Advocate for the State has produced the case diary and opposes the application for bail. Ld. Advocate submits that the petitioner and their associates threatened the victim.

Ld. Advocate for the defacto-complainant also submits that the petitioner is a politically influential person in the locality and after rejection of the anticipatory bail in respect of one of the accused persons they went to the house of the victim and threatened the lady.

I have considered the submissions advanced on behalf of the respective parties and I find that the petitioner was granted bail in connection with the main case being Panchla P.S. Case No. 91 of 2023 which was already being investigated. This case is to the extent of threatening the witnesses.

Having regard to the overall circumstances and the materials appearing in the case diary, I am inclined to release the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, Akkasuddin Molla @ Akashuddin Molla @ Akkasuddin shall be released on bail upon furnishing bond of Rs.10,000/-(Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the CJM, Howrah.

If on bail, the petitioner shall stay outside the jurisdiction of the Howrah District and shall enter the jurisdiction only for the limited purpose of meeting the officer of Panchla P.S. once in every ten days. Such Police Officer would be deputed for acknowledging the presence of the present petitioner by the inspector in charge of Panchla P.S. The petitioner shall be entitled to enter the jurisdiction for attending the court proceedings. The petitioner shall also be physically present on each and every date so fixed by the Id. Trial court and will not create any impediment in the progress of the trial of the case.

Accordingly, CRM(SB) 48 of 2024 is allowed.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

