

09.05.2024.
34.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1374 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P.S. Case No.1143 of 2023 dated 23.08.2023 under Sections 395/397/412 of the Indian Penal Code.

In the matter of : **Firoj Sk.**

.... Petitioner.

Mr. Wasim Akram,
Ms. Reshmi Khatun.

...for the Petitioner.

Ms. Faria Hossain, ld. A.P.P.,
Ms. Sanjida Sultana.

...for the State.

1. Petitioner submits witnesses have not identified him during investigation. No recovery was made from him. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He contends petitioner had absconded during investigation.
3. We have considered the materials on record. Complicity of the petitioner transpired from the statement of co-accused. No stolen article was recovered from him.
4. In view of the extent of his complicity, we are inclined to grant bail to the petitioner subject to strict conditions.
5. Accordingly, the petitioner viz., **Firoj Sk** 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 Sessions Judge, Fast Track, 3rd Court, Malda 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 and on further condition that the petitioner while on bail shall meet the Officer-in-charge, Kaliachak Police Station once in a week until further orders.

6. In the event the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)