

105.
20-06-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 1822 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pukhuria Police Station Case No.20 of 2024 dated 12-01-2024 under Sections 448/323/325/326/307 of the Indian Penal Code.

- A n d -

In the matter of : Afjal Mia @ Abjal Miya

.... Petitioner.

Mr. Imdadul Hoque

... For the Petitioner.

Ms. Sonali Das,
Mr. Dattatreya Dutta

... For the State.

The petitioner says that he is in custody for 159 days. There is no sufficient material against him. He has been falsely implicated. The sections of the Indian Penal Code whereunder he has been charged do not apply at all. Charge sheet has been filed upon completion of investigation. He prays for bail.

We have seen the material in the Case Diary, including medical report. The injury suffered by the victim is described as “non-grievous”. The other material against the petitioner is also not serious enough to justify his further detention in custody.

Accordingly, we direct that the petitioner, namely, **Afjal Mia @ Abjal Miya**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Chanchal, Malda. The 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. The petitioner shall remain within the jurisdiction of the local police station and shall report to the Officer-in-Charge of the said police station once every fortnight until further orders.

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.

The application for bail being CRM (DB) 1822 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)