

CRM (DB) 1939 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Jagatballavpur Police Station** Case No. **03 of 2023** dated **04.01.2023** under Sections **379/411/413** of the Indian Penal Code.

- A n d -

In the matter of : Morselim Sekh @ Sk. Morselim

.... Petitioner.

Mr. Toslim Ali,

... For the petitioner.

Mrs. Amrita Gour,
Ms. N. Ahmed,

... For the State.

Order dictated in open court by Apurba Sinha Ray, J.

The charges are under Sections 379/411/413 of the Indian Penal Code.

Learned Advocate for the petitioner says that he is in custody for about 142 days. Investigation is complete and the petitioner has been falsely implicated in this case. He claims parity, citing an order of this Court granting bail to a co-accused person.

Learned Advocate for the State raises vehement objection.

We have gone through the materials on record and the case diary. It appears that the investigation is complete and the examination of witnesses are going on. It is also found from the record that another accused, who is similarly circumstanced as this petitioner, has been granted bail.

In view of the above the prayer for bail of the petitioner is allowed.

Accordingly, we direct that the petitioner, namely, **Morselim Sekh @ Sk. Morselim**, 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 District and Session Judge, 2nd Court, Howrah and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. 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.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)