

12.8.2024
Ct. No. 6
SL No. 39
SB

C.R.A. (DB) 208 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of B.N.S.S. Act, in connection with **Ekbalpur** P.S. Case No. 486 of **2022** dated 11.10.2022 under Sections 147/ 148 / 149 / 326 / 34/ 201/ 427/ 307 of Indian Penal Code and Sections 8(1) (d)/9 of the West Bengal Maintenance of Public Order Act and Section 3(2)(v) of the SC and ST (Prevention of Atrocities) Act, 1989

And

In the matter of: Sajid Hossain Khan @ Gul Khaini

Mr. Anand Keshari

Ms. Pubali Debnath

Ms. Soumili Chowdhury

... for the petitioner

Mr. Saibal Bapuli

Ms. Rita Dutta

... for the State

1. Appellant contends he is in custody for 100 days. Co-accused are on bail. There is no possibility of trial concluding in near future. He prays for bail.
2. Learned Additional Public Prosecutor for the State opposes the prayer for bail.
3. We have considered the materials on record. Allegations against the appellant are general and omnibus. Co-accused similarly situated with the appellant is on bail. There is no possibility of trial concluding in near future.
4. Under such circumstances, we are inclined to grant bail to the appellant.
5. Accordingly we direct appellant shall be released on bail 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, 1st Court, Alipur, South 24 Parganas, subject to the condition that the appellant shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event appellant fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)