

05.01.2024.
28.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4855 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra P.S. Case No.127 of 2023 dated 06.03.2023 under Sections 341/325/326/307/302/34 of the Indian Penal Code.

In the matter of : **Mohammad Ali Khan @ Mohammad Khan.**
.... Petitioner.

Mrs. Karabi Roy.

...for the Petitioner.

Mr. Joydeep Roy, Id. Jr Govt. Adv.,
Ms. Mayukhi Mitra.

...for the State.

1. Petitioner submits he is in custody for 105 days. He contends he is not the principal accused. Co-accused viz., Muluk Chand Mondal including the principal accused have been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for State opposes the bail prayer.
3. We have considered the materials on record. Abdul Hamid is the principal accused. He is on bail.
4. Keeping in mind the aforesaid facts and the extent of complicity of the petitioner in the crime, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Mohammad Ali Khan @ Mohammad Khan** 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 Chief Judicial Magistrate, Nadia at Krishnagar 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.

6. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)