

JPD-149
Ct No.01
31.07.2024
TN

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (DB) 317 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with **Mathabhanga** Police Station Case No.**64** of **2011** dated **28.02.2011** under Sections **395/396/397/216A/412 IPC**.

And

In the matter of: **Usuf Ali @ Md. Yusuf Ali @ Usuf Ali@ Miah @ Eusuf Ali @ Md. Ichhar Mian**

.... petitioner

Ms. P.D. Chowdhury,
Ms. Upashana Chettri

....for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Abhijit Sarkar,
Mr. Dhiman Sil

....for the State

1. The petitioner is in custody for nine-and-half years. Other 10 co-accused persons have been enlarged on bail. Out of 39 total witnesses, only 15 have yet been examined.
2. Although the prayer for bail is opposed by the State, we are of the opinion that the long period of incarceration justifies the grant of bail to the petitioner.
3. Accordingly, CRM (DB) 317 of 2024 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish a bond of Rs.5,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned

Additional District and Session Judge, First Court (NDPS), Cooch Behar.

- 4.** The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend each and every date of trial.
- 5.** Further, the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Prasenjit Biswas, J.)