

08.05.2025

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jb.

jdt.

Allowed

C.R.M. (DB) 922 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Jagatballavpur Police Station Case No. 173 of 2019 dated 28.06.2019 under Sections 370(A)/372/373/120B of the Indian Penal Code.

And

In Re : Sk. Hira

Sk Toslim Ali

... For the Petitioner.

Ms. Baishali Basu

Mr. S. Kundu

... For the State.

The petitioner is in custody for about six years and prays for bail.

Learned counsel for the State opposes the prayer.

It appears that one Raju sold out his 4 days' old daughter to the petitioner who was issueless. The child was recovered. She expired subsequently. The principal accused is in custody. Trial has proceeded considerably.

Considering the period of detention of the petitioner as well as his extent of complicity in the alleged offence, this Court is of the view that further detention of the petitioner is not required and he may be granted bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Sk Hira shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Howrah subject to condition that he shall appear before the

learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing without any justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

Case diary be returned.

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

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)