

25.09.2025

Item No.15

Ct.No.34

rc.

Allowed

C.R.M. (M) 1574 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chanchal Police Station Case No. 1033 of 2020 dated 07.11.2020.

And

In Re : **Peskar Ali**

... Petitioner

Md. Wasim Akram

Ms. Sabrina Parveen

... for the Petitioner

Ms. Ankita Paul

Mr. Debabrata Chatterjee

... for the State

Affidavit of service filed by the petitioner is taken on record.

Victim is not represented despite service.

Heard learned counsels for the parties.

The petitioner was granted anticipatory bail by this Court on January 19, 2021 and surrendered before the learned trial Court on March 06, 2021. The petitioner was unable to appear before the learned trial Court on two occasions for which warrant of arrest was issued against him on June 02, 2025. He surrendered before the learned trial Court on July 25, 2025 and was released on bail on furnishing bond of Rs. 10,000/- with two sureties of like amount each, one of whom would be local. The petitioner

failed to furnish local sureties for which warrant of arrest was again issued against him on the same date. The petitioner surrendered before the learned trial Court on July 28, 2025 and was taken into custody. He is in custody since then. The petitioner undertakes not to misuse the liberty of bail henceforth.

In view of the above, this Court is inclined to hold that since the petitioner was granted anticipatory bail by this Court earlier and appeared before the learned trial Court regularly till his failure on two dates, his further detention is not required and he may be released on bail.

Accordingly prayer for bail is allowed.

The petitioner **Peskar Ali**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Chanchal, Malda subject to condition that they shall appear before the learned trial Court on every date of hearing. They shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date without 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, thus, disposed of.

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

(Suvra Ghosh, J.)