

Present- Bikash Banik
Addl. Dist. & Sess. Judge, 1st Court,
Jangipur, Murshidabad.
J.O. NO.WB00645

Crl. Misc. Case No. 943 /2022

Kabira KumarVs.....The state

Order No. 02 dated 31.10.2022.

The instant application U/S 439 Cr.P.C filed by the petitioner viz. Kabira Kumar in connection with Farakka P.S. Case No.328 /22 dated 01.09.22 U/S 399/402 of I.P.C corresponding to G.R. Case No. 2172 /22 is taken up for hearing and order.

Ld. advocate for the petitioner and Ld. P.P in charge on behalf of the State are present.

Heard both sides. Considered.

Ld. Advocate on behalf of the accused / petitioner has submitted that the accused is in custody since 13.10.22. It is further submitted that the accused has been falsely implicated in this case and he is innocent. Accused is not named in the FIR. Some accused persons are on bail. There is remote chance for disposal of this case immediately. Accordingly he prays for bail.

Ld. Advocate has further submitted that no bail petition is filed or pending before any higher forum and submitted an affidavit to that effect.

Heard Ld. P.P in charge Mr. Samir Kr. Chatterjee in opposition. He submits that the accused is in custody since 13.10.22. Some accused persons are on bail. Offence is U/S 399/402 of I.P.C and Ld. Court may pass necessary order.

Heard. Considered. Perused the record, C.D. & L.C.R. where from it transpires that the accused is in custody since 13.10.22. Some accused persons are on bail. Offence is U/S 399/402 of I.P.C. I am of the view that no further detention is required.

Considering all prayer for bail of the accused person is allowed. Accused person may find bail of Rs. 3000/- with two registered sureties of Rs.1500/- each on condition to meet the IO once in a week till submission of CS and he will not induce or influence the witnesses and will not tamper the evidence and he will not commit any offence while on bail subject to the satisfaction of Ld. A.C.J.M., Jangipur.

C.D is returned.

Let a copy of this order and the L.C.R be send to Ld. A.C.J.M., Jangipur for information and taking necessary steps.

Another copy of this order be sent to the IO of this case for information.

In the light of the observation made above this criminal misc case is disposed of on contest.

Dictated & Corrected by me

Addl. Sess. Judge, 1st Court,
Jangipur, Murshidabad.

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