

GR 141/2017

Order dated 03-08-2023

Record is put up today by way of petition.

Accused person namely, **Jahar Middya and Sk. Kalu** are present today and they have surrendered before this court.

He is taken into custody.

Ld. APP is present.

Heard both sides over bail application.

Ld. APP raises no objection on the ground that it is difficult even for the prosecution to bring all the accused person at one time immediately for the purpose of committal of the case.

Considering the case record it appears that the accused person misused the liberty of bail and so warrant of arrest were issued against them but they have surrendered before this Court today. So, it appears that there is chances of rectification in the conduct of the accused persons. Considered.

Perused the **Section 209(b) of Cr.P.C.** and also reported decision passed in **Thirumalegowda vs State, 1999 CrLJ 823** wherein it has been observed that where in a case the offence is exclusively triable by the Sessions, the Magistrate has discretion to release the accused on bail even where the case is committed to the Court of Sessions binding the accused not only to appear as and when required before him but also to appear as called upon in the court of Sessions. So, considering that the case is long pending and it is also a fact that the accused persons have surrendered before the court voluntarily and for ends of justice they may find bail of Rs. 2000/- each with one R.S of like nature with condition to appear before this court on the next dates positively and also to appear before the Court of Sessions if he is so directed I/d to j/c.

If on bail todate (31-01-2024) for appearance.

Recall W/A.

D/Corrected by

A.C.J.M, Bishnupur

A.C.J.M, Bishnupur
J.O.Code-WB00950

Later order dated 03-08-2023

In view of the above order bail bond of Rs. 2000/- each with one R.S Sk. Harbul Hossain for the accused persons namely, **Jahar Middya and Sk. Kalu** are furnished which is found fit and accepted.

Let it be kept with the record.

Accused be released at once.

Todate.

D/Corrected by

A.C.J.M, Bishnupur

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