

Order No. 27 dt. 22-03.23

Today is fixed for hearing of the anticipatory bail petition filed on behalf of accused Mistar Miah @ Mister Mia on the last date.

Both sides are present before court today. The record is now taken up for hearing of the said bail petition.

Ld. Advocate for the accused person moves the bail petition and submits that the accused person who is named in the F.I.R. lodged in this case is innocent and has been falsely implicated in this case. He submitted that the accused was not absconding in this case but actually did not know about the lodging of this case and that he is now apprehending arrest after W.A. was issued by this court against him. He prayed that the accused petitioner may be granted anticipatory bail under any terms and conditions after assuring that he would face trial.

Ld. P.P. in-charge for the State raised objection against the said prayer of the accused person.

It appears from the record that the instant accused petitioner is named in the F.I.R. and it appears from the CD that nothing was recovered and seized from the possession of the accused person on the relevant date and time. The investigation of this case has already ended with filing of charge sheet and the trial has already commenced in respect of other accused persons who are on bail.

Considering the above facts and circumstances, this court is of the view that custodial interrogation of the accused petitioner is not required now and consequently is pleased to grant the anticipatory bail prayer of the accused person namely **Mistar Miah @ Mister Mia**. In the event of arrest, the accused person be released on bail on furnishing bond of Rs. 10,000/- (ten thousand) with two sureties of Rs. 5000/- (five thousand) each, subject to the satisfaction of the arresting officer **on condition that the accused petitioner shall surrender before this court within 15 days and comply with all the conditions mentioned in sec. 438(2) Cr.P.C.**

To 15-06.2023 for appearance and evidence.

Dictated & Corrected by,

Sd/-

Addl. Sessions Judge, 1st Court,
Cooch Behar, (NDPS).

Sd/-

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Cooch Behar, (NDPS).