

Sessions Case No. 72 of 2022
(CNR No. WBCB01-001834-2022)

Present : Subrata Ch. Polle,
Sessions Judge, (WB01273)

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02/04/2024

Today is the date fixed for hearing of the bail application of the accused namely *Jahanur Hossain @ Jahanur Alam* who is in custody on and from 18/03/2024.

Mr. Asif Chowdhury learned counsel appearing for the accused petitioner submits that before the arrest of the present accused, he prayed for anticipatory bail before the Hon'ble High Court, Calcutta, Circuit Bench at Jalpaiguri being CRM (A) No. 220 of 2024. During the pendency of the pre-arrest bail application, he was apprehended by the police. *Mr. Chowdhury* has also referred to the solemn orders of the Hon'ble High Court passed in CRM (A) 37, 38 of 2024 passed on 29/01/2024 whereby and whereunder, the anticipatory bail applications of two accused were allowed. Learned counsel submits that the present accused stands on the same footing of the accused who were granted pre-arrest bail by the Hon'ble Court.

Sri Ajay Kumar Guha Neogi learned Public Prosecutor submits that the accused was a long absconder and there are sufficient incriminating materials against him. Learned Public Prosecutor has prayed for rejection of the bail.

Having heard the counsels of the parties and having gone through the materials on record, it appears that the present accused petitioner was apprehended by the police on 18/03/2024 in connection with Kotwali P. S. Case No. 821 of 2021 dated 17/08/2021. Already, other accused persons were enlarged on bail. Recording of the evidence has already been started. The present accused stands on the same footing with the accused who were granted anticipatory bail by the Hon'ble High Court as indicated hereinabove. No fruitful purpose would be served in keeping the accused in custody as the investigation had been completed long days back. Other accused are already enlarged on bail barring 1 absconder. Accordingly, the prayer for bail is allowed.

Thus, the accused namely ***Jahanur Hossain*** @ ***Jahanur Alam*** may find bail of Rs. 10,000/- with two sureties, out of which, one must be a local subject to the satisfaction of learned Chief Judicial Magistrate, Cooch Behar on conditions that he should be present on all the dates of hearing in this court without any fail and he shall not leave the jurisdiction of the district without any intimation of the Court.

Thus, the bail petition (I.A. No. 15 of 2024) is disposed of.
To-date.

Sd/- S.C. Polle
Sessions Judge
Cooch Behar