

09.12.2021
Sl. No.87
akd
[ALLOWED]

C. R. M. 5673 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.08.2021 in connection with Sankrail Police Station Case No. 545 of 2021 dated 05.05.2021 under Sections 3/4 of the Explosive Substances Act.

And

In Re: **Kurban Seikh @ Kurban Sk.**

... .. Petitioner

Mr. Soumya Basu Roy Chowdhury

... .. for the petitioner

Mr. Tanmay Kr. Ghosh

Mr. Arindam Sen

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 218 days. It is further submitted that incriminating articles have already been recovered.

Learned advocate appearing for the State opposes the prayer for bail and submits that a large number of explosives were recovered from the possession of the petitioner.

Having considered the facts and circumstances of the case, period of detention suffered by the petitioner and as investigation is complete, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Kurban Seikh @ Kurban Sk.**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Howrah subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)