

20.09.2021
Serial no. 08
Dd

(Through Video Conference)

CRM 5959 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure filed on **7th September, 2021** in connection with **Special 2/21 Katwa** Police Station Case No. **100 of 2021** dated **05.04.2021** under **Sections 363/ 365/ 120B** of the Indian Penal Code and **Section 4 of POSCO Act.**

-And-

In the matter of : Tipu Sekh @ Tipu Sk & Anr.

... ..Petitioners

Mr. Imtiaz Ahmed,
Mr. Mofakkerul Islam
Mr. Ahazala Firdaus
Ms. Smita Saha
Sk. Saidullah,
Ms. Arunima Mukhapadhyay
Mr. Debopam Roy, Advocates
... .. For the Petitioners

Mr. Saibal Bapuli, APP
Mr. Bibaswan Bhattacharya, Advocate
... ..For the State

Petitioners seek bail.

Learned advocate appearing for the petitioners submits that the petitioners are in custody in excess of 150 days. He submits that since the police submitted charge sheet, further detention of the petitioners is not required.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 164 of the Cr. P.C.

Considering the statements recorded under Section 164 of the Cr.P.C. and considering the fact that police submitted charge sheet in the proceeding, we are inclined to grant bail to the petitioners.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000- (Rupees Ten Thousand only) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Sessions Special Judge, 1st Court, Katwa subject to condition that the petitioners shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioners in accordance with law without further reference to this Court.

The prayer for bail is **allowed**.

CRM 5959 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)