

23.02.2021
Court No.28
Item No. 01
Krishnendu
Bail Granted

**C.R.M.8993 of 2020
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : **Nure Alam alias Nur Alam**

Petitioner

Mr. Amal Kumar Samanta

Mr. Arun Kumar Das

For the Petitioner

Mr. Madhusudan Sur, Id. A.P.P.

Mr. Dipankar Paramanick

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Patashpur Police Station Case No. 100 of 2020 dated 25.02.2020 under sections 392/397/302/34/411 of the Indian Penal Code and sections 25/27 of the Arms Act.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. No overt act has been attributed to the petitioner. The materials also would not disclose any involvement of the petitioner in the alleged offence. Upon completion of investigation, charge sheet has also been submitted and as such further detention of the petitioner, who is in custody for 249 days, is not necessary.

Mr. Sur, learned advocate appearing for the State opposes the petitioner's prayer for bail and draws our attention to the several documents in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case

diary, *prima facie*, we do not find any direct involvement of the petitioner in the alleged offence. Furthermore, the petitioner is in custody for a substantial period of time and in the said conspectus, we are of the opinion that further detention of the petitioner is not warranted. As such, prayer for bail of the petitioner is allowed.

Accordingly, we direct that the petitioner, namely, **Nure Alam alias Nur Alam**, shall be released on bail upon furnishing a bond of `10,000/- with two local sureties of like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur on a further condition that the petitioner shall not leave the jurisdiction of the Patashpur Police Station, except for the purpose of attending the Court proceedings. The petitioner shall meet with the Officer-in-Charge of the Patashpur Police Station once a week on and from 1st March, 2021 until further orders.

It is made clear that in the event the petitioner violates any of the aforesaid conditions, the learned Trial Court would be at liberty to cancel the bail without any further reference to this Court.

With the aforesaid observations, the application for bail, being CRM No. 8993 of 2020, is disposed of.

The personal appearance of the Investigating Officer is dispensed with.

(Tirthankar Ghosh, J)
Chakraborty, J)

(Tapabrata

