

01.02.2022

53

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(DB) 142 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Ausgram** Police Station Case No. **283** of **2021** dated **08.09.2021** under Sections 302/307/120B of the Indian Penal Code, 1860 and under Sections 25/27/35 of the Arms Act.

And

In Re : Md. Imran Qureshi @ Md. Imran Qurashi
..... petitioner

Mr. Sujan Chatterjee
Mr. Sanat Kumar Das
.....for the petitioner

Mr. Neiguive Ahmed
Ms. Ayantika Roy
....for the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that, the petitioner is in custody for 137 days. The police filed charge-sheet. He submits that, there is no material against the petitioner implicating the petitioner in the incident.

Learned Additional Public Prosecutor appearing for the State draws the attention of the Court to the contents in the case diary. He submits that, prayer for bail of another co-accused was rejected by this Court.

It appears from the materials in the case diary that the present petitioner stands on a different footing as that of the other co-accused whose prayer for bail was rejected by the Court today.

Considering the involvement of the petitioner in the incident as prima facie appearing from the materials in the case diary and considering the period of detention of the petitioner, we grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the **learned Chief Judicial Magistrate, Purba Bardhaman**, subject to the condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioner will not enter into the jurisdiction of the local police station where the criminal complaint was registered, unless required by the Jurisdictional Court to do so.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)