

CRM (DB) 1176 of 2022

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Uluberia Police Station** Case No. **92 of 2022** dated **03.04.2022** under Sections **147/148/149/323/325/326/307/427/186/188/353** of the Indian Penal Code and Sections 3 and 4 of the E.S. Act.

- A n d -

In the matter of : Samiruddin Sha & Ors.

.... Petitioners.

Mr. Tarapada Das,
Mr. Soma Chakraborty,

... For the Petitioners.

Mr. N. Ahmed, Ld. APP,
Mr. I. Kabir,

... for the State.

The petitioners pray for bail.

Learned Advocate for the petitioners submits that the petitioners are in custody 33 days. The petitioners were falsely implicated.

Learned Additional Public Prosecutor Pleader submits that the investigations are still in progress and refers to the materials in the case diary.

The case diary does not contain any injury report. The crude bombs were not seized from the possession of the petitioner.

Considering the period of detention of the petitioners and considering the materials in the case diary, we grant bail to the petitioners.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/-, each with two sureties of like amount of each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Uluberia, Howrah, subject to the condition that the petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witness and/or tamper with evidence in any matter 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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Kausik Chanda, J.)