

CRM (DB) 1186 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Debra Police Station Case No. 160 of 2022 dated 04.04.2022 under Sections 186/286/323/353/506/34 of the Indian Penal Code and Section 4 of the Explosive Substance Act.

-And-

In the matter of : Sk. Mursed Ali @ Musa

...Petitioner

Mr. Rana Mukherjee, Advocate

Mr. Pravas Bhattacharya, Advocate

... ... For the Petitioner

Mr. Prasun Kr. Dutta, Id. APP

Mr. Subrato Roy, Advocates

... ...For the State

Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 34 days. No person received any injuries. There is a police complaint being Debra P.S. Case No. 161 of 2021 lodged at the behest of the petitioner. No recovery was made from the petitioner.

Learned Advocate appearing for the State draws the attention to the materials in the case diary. In answer to a query of the Court, he submits the vehicle from which the explosive substance was recovered does not belong to the petitioner.

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

Accordingly, we direct that the petitioner shall 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, Paschim Medinipur, subject to condition that the petitioner 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 petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail of the petitioner is allowed.

CRM (DB) 1186 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)