

08.07.2022.  
29.  
Ct.No.28.  
as  
(Allowed)

**C.R.M. (DB) 2178 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baishnabnagar P. S. Case No.01 of 2022 dated 01.01.2022 under Sections 489B/489C/120B of the Indian Penal Code.

In the matter of : Nasir Sk @ Nazir Sk.

.... Petitioner.

Mr. Amitabha Karmakar,  
Mr. Arup Kr. Bhowmick.

...for the Petitioner.

Ms. Anasuya Sinha,  
Mr. Pinak Kr. Mitra

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 50 days. No fake Indian currency notes was recovered from the petitioner.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. No fake Indian currency note was recovered from the possession of the petitioner. His complicity has transpired from the statement of co-accused before police officer which is inadmissible in evidence and investigation is complete. Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, 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, Malda subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses 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 his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

**(Ananya Bandyopadhyay,J.)**

**(Joymalya Bagchi, J.)**