

03.08.2022

Item No.2

Ct.No.34

dc.

Allowed

C.R.M. (SB) 185 of 2022

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Hemtabad Police Station Case No. 155 of 2022 dated 09.05.2022 (G.R. No.1266/2022) under Sections 25(i)(a)/27/35 of the Arms Act.

And

In Re : **Subhajit Das & Anr.**

... Petitioners.

Mr. Rajdeep Majumder,
Mr. Arup Sarkar,
Mr. Abhijit Singh,
Ms. Sabnam Laskar

... For the Petitioners.

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty

... For the State.

Mr. Majumder, learned advocate appearing for the petitioners submits that the petitioners are in custody for about 86 days and investigation of the case has already been concluded ending in a charge-sheet.

Mr. Sandip Chakraborty, learned advocate appearing for the State produces the case diary and draws the attention of the Court to the seizure list which reflects that arms and ammunition were recovered from both the petitioners. However, there are no antecedents of the present petitioners as reported by the police authorities. Having regard to the same, I am of the opinion that further detention of the petitioners is unwarranted. As such, the prayer for bail of the petitioners is **allowed**.

Accordingly, the petitioners viz., 1. **Subhajit Das** and 2. **Sanjib Sarkar** shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Uttar Dinajpur at Raiganj.

The following conditions are imposed, if the petitioners are released on bail.

1. The petitioners shall meet with a police officer, deputed by the Officer-in-Charge, Dalkhola Police Station, twice a week until further orders.
2. The petitioners shall not leave the jurisdiction of Dalkhola Police Station without the permission of the Officer-in-Charge, Dalkhola Police Station except for the purposes of attending the court until further orders.
3. The petitioners shall attend the office of the learned Chief Judicial Magistrate, Uttar Dinajpur at Raiganj once in a fortnight and obtain acknowledgement from the said office for a period of six months from date.

The application for bail, being CRM (SB) 185 of 2022, is, thus, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)