

22.08.2022
cm/ct 28
sl no. 20

C.R.M. (DB) 2677 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Beldanga P.S. Case No. 279/2022 dated 16.05.2022 Sections 147/148/149/332/353/353(A)/295(A)/325/326/307/427 of the Indian Penal Code and 3/4/5/ Explosive Substances Act and Section 3 of PDPP Act.

Allowed

In Re : Gaffarul Sk. @ Mojnu Sk.@ Gaffaur Sk.

..... petitioner

Ms. Minoti Gomes
Mr. Jisan Iqubal Hossain

..... for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

..... for the State

Petitioner is in custody for 79 days. It is submitted that he was not named in the First Information Report. It is further submitted that he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner was not named in the First Information Report. No specific allegation with regard to use of arms or throwing of bombs has been made against him.

Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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, Berhampore, Murshidabad on condition

that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition petitioner while on bail shall meet the officer-in-charge of Beldanga Police Station once in a week or until further orders.

In the event petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM(DB) No. 2677 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)