

14.10.2022

(AD 65)

(S. Banerjee/
AKG)

CRM (DB)/ 3604 of 2022

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raina Police Station Case No. 292 of 2021 dated 23.10.2021 under Section(s) 302/307/120B/34 of Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In the matter of: Md. Sohrab Ali

...petitioner

Mr. Joydeep Biswas
Mr. Soumyadeep Das

... for the petitioner

Mr. Sudip Ghosh
Mr. Arijit Ganguly
Mr. Sanjib Kumar Das

... for the State

Leave is granted to the learned advocate on record of the petitioner to correct the SC No. in the cause title at page 2 of the bail application.

The petitioner is accused on being involved in an offence inter alia under Section 302 of the Indian Penal Code. He was not named in the First Information Report. However, in the statement made under Section 164 of the Code of Criminal Procedure by the driver of the victim, it is stated that the petitioner was identified by him in a T.I. Parade.

The petitioner is in custody for 323 days.

Investigation is complete. Charge-sheet has been filed.

Learned counsel for the State submits that the petitioner was absconding for a very longtime and was apprehended in Maharashtra. He is a very notorious criminal and should not be granted bail. He has also submitted that prayers of other accused persons for bail have been rejected.

Prima facie from the records we do not find that the petitioner is the principal accused or an active participant.

The petitioner may 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, Purba Bardhaman, but on stringent conditions as stipulated below:

- 1) The petitioner shall deposit his passport, if he has one, with the investigation officer.
- 2) He shall report before the said officer as and when summoned.
- 3) The petitioner shall only leave the limits of the Narkeldanga Police Station after properly and satisfactorily informing the Officer in Charge of the Narkeldanga Police Station of his whereabouts.

- 4) He shall not intimidate the witnesses and/or
tamper with evidence in any manner
whatsoever.

The application for bail is thus disposed of.

(Supratim Bhattacharya, J.) (I. P. Mukerji, J.)