

21.03.2023  
tkm/ct 28  
sl no. 68

**C.R.M. (DB) 1030 of 2023**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ausgram PS case no. 283 of 2021 dated 8.9.2021 under sections 302/307/120B of the IPC and 25/27/35 of the Arms Act

and

**Allowed**

In Re : Md. Pappu

..... petitioner

Mr. Abhra Mukherjee  
Mr. Sudip Banerjee  
Mr. S K Das  
Mr. S Dutta  
Mr. S Mondal

..... for the petitioner

Mr. Sudip Ghosh  
Mr. Bitasok Banerjee  
Mr. A K Datta

..... for the State

Petitioner is in custody for 552 days. It is submitted allegation is that he is an abettor. Co-accused is on bail. He prays for bail. Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Petitioner is not the principal offender. It is alleged he had supplied fire arms. Co-accused is on bail.

Keeping in mind the aforesaid facts and the extent of complicity of the petitioner in the alleged crime, 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 CJM Purba Bardhaman 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.

In the event he 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) 1030 of 2023 is disposed of.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**