

10.05.2023
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as/sdas
allowed

CRM(DB) No. 1882 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhagwangola Police Station Case No. 113 of 2023 dated 25.03.2023 under Section 25(1)(a) of the Arms Act.

And

In Re : Saban Sk. @ Saba petitioner

Mr. S. Das Mahapatra
Mr. Ali Ahsan Alamgir
Ms. Soma Mal
....for the petitioner

Mr. Arijit Ganguly
Mr. Koushik Kundu
.... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Petitioner is in custody for 47 days. Incriminating article i.e. firearm has already been recovered. Keeping in mind the said fact we are of the view further detention of the petitioner for progress of investigation may not be necessary and he may be enlarged on bail.

Accordingly, we direct that 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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)