

17.05.2023.
34.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1957 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P.S. Case No.1466 of 2022 dated 24.12.2022 under Sections 489(B)/489(C)/120B/34 of the Indian Penal Code and charge sheet submitted under Sections 489(B)/489(C)/120B/34 of the Indian Penal Code.

In the matter of : Kalu @ Rejaul Karim.

.... Petitioner.

Mr. Kallol Mondal,
Mr. Musharraf Alam Sk.,
Mr. Krishan Ray.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...for the State.

Petitioner is in custody for 112 days. It is submitted no Fake Indian Currency Note (for short FICN) was recovered from his possession. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. No FICN was recovered from his residence. Complicity of the petitioner has transpired from the statement of co-accused before police which is inadmissible in evidence. Investigation is complete.

Hence, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Kalu @ Rejaul Karim 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 Chief Judicial Magistrate, Malda subject to condition that he shall

appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any 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, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)