

16.06.2023

Sl. 12

Court No.29

Suvayan

(Allowed)

C.R.M. (DB) 2057 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bagnan** P. S. Case No. **261 of 2021** dated **18.05.2021** under Sections **379/511/427** of the IPC and Sections **15/16** of P & MP Act, 1962, Sections **3/4** of Explosive Substance Act, 1908 and Sections **3/4** of P.D.P.P. Act, 1984.

And

In the matter of: **Sk. Sabir Hossain @ Sk Sabir @ Hossain**
....petitioner

Mr. Sabir Ahmed
Mr. Maidul Islam Kayal
Mr. Sumit Naskar

...for the petitioner.

Mr. Sudip Ghosh
Mr. koushik Kundu

...for the State.

Mr. Anirban Dutta
Ms. Sharmistha Ghosh
Mr. Amit Ghosh

...for the de facto complainant.

1. Heard the learned Counsel for both the parties.
2. Considered the materials placed by them including the statement of the witnesses and the fact that four cases have been filed against the petitioner one after the another within two months. The petitioner is stated to be a member of the racket who are illegally committing theft in respect of crude oil of the informant but the charge is in respect of mischief and attempt of theft only.
3. Regard being had to the facts and submissions in the case, factum of permanent residence of the petitioner, commencement of the trial in the meantime, it is directed that the petitioner shall be released on bail by the learned Additional Sessions Judge, 2nd Court, Uluberia, Howrah in

S.C. No. 56 of 2021 (New S.C. No. 22 of 2021) arising out of Bagnan P.S. case No. 261 of 2021 on such terms and conditions as deemed just and proper in the facts and circumstances of the present case including the condition that the petitioner shall not involve himself in similar or any other offence during the currency of the order.

4. Accordingly, the prayer for bail of the petitioner is allowed.
5. CRM (DB) 2057 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)