

14.06.2023

Sl. 26

Court No. 29

Sourav

(Allowed)

C.R.M. (DB) 2243 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Berhampore** Police Station Case No. **344** of **2023** dated **22.03.2023** under Sections **3** and **4** of Explosive Substances Act, 1908.

And

In the matter of: **Bachchu Mondal @ Mohadeb Mondal**

....petitioner.

Mr. Ali Ahsan Alamgir

Ms. Soma Mal

Ms. June Modak

...for the petitioner.

Mr. Noguive Ahmed, Ld. APP

Mr. Iqbal Kabir

...for the State.

1. Heard learned Counsel for the parties.
2. Some socket bombs are alleged to have been recovered and seized from the house of the petitioner.
3. Learned Counsel for the State objects to release of the petitioner on bail on the ground that the petitioner is an anti-social and several cases are pending against him.
4. Learned Counsel for the petitioner submits that out of the seven cases pending against him, the petitioner has been acquitted in four cases and he has not yet been convicted in any of the cases pending against him. However, while considering the question of bail, the Court is not to be influenced by pendency of criminal cases against a petitioner unless such offence is very serious in nature having societal implication.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, the maximum punishment prescribed for the offence and substantial

progress in the investigation, it is directed that the petitioner shall be released on bail by the learned Chief Judicial Magistrate, Berhampore, Murshidabad, in Connection with Berhampore Police Station Case No. 344 of 2023 dated 22.03.2023 on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that i) the petitioner shall appear before the Inspector-in-Charge, Berhampore P.S. once in a fortnight till commencement of trial. The aforesaid condition may be extended till the conclusion of the trial at the discretion of learned trial Court. ii) The petitioner shall not involve himself in similar or any other offence during the currency of the order.

6. Accordingly, the prayer for bail is allowed.

7. The application being **CRM (DB) 2243 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

