

23.11.2023  
Sl. No.13  
**akd**  
[ALLOWED]

**C. R. M. (DB) 3460 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.08.2023 in connection with Nazat Police Station Case No.139 of 2019 dated 08.06.2019 under Sections 147/148/149/325/326/302 of the Indian Penal Code read with Sections 25/27 of the Arms Act. (G.R. Case No.1726 of 2019)

And

In Re: **Rabin Das**

... .. Petitioner

Mr. Kallol Mondal  
Mr. Krishan Ray  
Mr. Souvik Das  
Mr. Anamitra Banerjee

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor  
Mr. Manoranjan Mahata

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 160 days. Co-accused have been enlarged on bail. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner had absconded for a protracted period of time.
3. We have considered the materials on record. Petitioner stands on the same footing with co-accused who have been enlarged on bail. There is no substantial progress in the matter. Case has not been committed to the Court of Sessions as yet. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Rabin Das**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand

only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat, North 24-Parganas subject to condition that the said petitioner 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 and on further condition that the petitioner, while on bail, shall remain within the jurisdiction of Nazat Police Station and shall report to the Officer-in-charge, Nazat Police Station once in a week until further orders.

5. 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.
6. The application for bail, thus, stands allowed.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**