

01.12.2023
Sl. No.61
akd
[ALLOWED]

C. R. M. (DB) 4472 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.11.2023 in connection with Deganga Police Station Case No.328 of 2023 dated 05.07.2023 under Sections 302/34 of the Indian Penal Code, Sections 3/4 of the Explosive Substances Act and Sections 25/27 of the Arms Act. (G.R. Case No.1586 of 2023)

And

In Re: ***Raktim Hossain***

... .. Petitioner

Mr. Sumanta Chakraborty

... .. for the petitioner

Mr. Parthapratim Das

Ms. Rita Dutta

... .. for the State

1. It is submitted on behalf of the petitioner that he is a school teacher.
It is further submitted petitioner had attended election duties as a public servant. He has been falsely implicated. Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record.
Statements of witnesses show petitioner was seen going up the roof carrying a bag. On such score his bail prayer was rejected during investigation. Presently investigation is complete. No other incriminating materials have been collected to show petitioner had thrown the bomb. There is no chance of his abscondence. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Raktim Hossain***, 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 Chief Judicial Magistrate, North 24-Parganas at Barasat 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.

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.)