

21.12.2023.
63.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4690 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Panchla P.S. Case No.208 of 2023 dated 28.06.2023 under Sections 457/380/411/413 of the Indian Penal Code.

In the matter of : **Nasir Sk. @ Sk. Nasir.**

.... Petitioner.

Mr. S. Basu Roy Chowdhuri.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Apurba Kr. Datta.

...for the State.

1. Petitioner is in custody for about 177 days. Investigation is complete. Stolen articles have been recovered. He prays for bail.
2. Learned Advocate for State opposes the bail prayer. He contends petitioner has criminal antecedents.
3. We have considered the materials on record. Stolen articles have been recovered. Investigation is complete.
4. Balancing the nature of accusation with the period of detention suffered by him, we are of the opinion though further investigation is not necessary, movement of the petitioner requires to be restricted to prevent commission of similar offence.
5. Accordingly, the petitioner viz., **Nasir Sk. @ Sk. Nasir** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Howrah 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 and on further condition petitioner while on bail shall meet Officer-in-charge, Panchla Police Station once in a week until further orders.

6. 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.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)