

**27.12.2023**  
Court No.8  
Item. 01  
(Suvendu/Sandip)

**CRM(DB) 4835 OF 2023**

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Kaliganj Police Station Case No. 127 of 2023 dated 06.03.2023 under Sections 157/148/149/326/307/353/333 of the Indian Penal Code and Sections 4/5/6 of the E.S. Act and Section 9 of the MPO Act and Section 4 of the PDPP Act corresponding to G.R.Case No. 3137 of 2023.

And

In the matter of: Jakir Sk.

. . . . .Petitioner.

Mr. Mukunda Lal Sarkar  
Mr. Apolok Basu

For the Petitioner.

Mr. Swapan Banerjee  
Mr. Rudradipta Nandi  
Ms. Sujata Das

For the State.

1. The learned counsel for the petitioner has submitted that the petitioner has been languishing in the custody for about 295 days. The investigation has already been completed and one of the accused persons namely, Hamida Bibi was granted bail by this Court and two other accused persons were granted bail by the learned Sessions Judge, Nadia. The petitioner may be granted bail on any condition.
2. The learned Public Prosecutor raises strong objection. According to him, several police personnel were severely injured in the incident. However, one police personnel namely, Mr. Sourav Chattopadhyay suffered injury from the splinters of the bombs. The investigation is complete, but there are other accused persons who are absconding

and for which WPAs were issued. Learned counsel for the State prays for rejection of the prayer for bail.

3. Perused the Case Diary.
4. Considered.
5. After going through the injury reports and also considering the fact that the accused person has been in custody for about 295 days and charge-sheet has been filed, we are inclined to allow the prayer for bail on the following conditions.
6. We accordingly direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of Rs.5000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Krishnagar, Nadia. After release, the petitioner shall not enter into the jurisdiction of Kaliganj Police Station, except for the purpose of attending the Court proceedings. The petitioner shall not intimidate witnesses or influence them or tamper with the evidence. The petitioner shall also furnish his residential address to learned jurisdictional court, where he will reside during the pendency of the trial. He shall appear before the trial court on each date of hearing.
7. In default of compliance of any of the above conditions, the jurisdictional court can take steps in accordance with law, including cancellation of bail.
8. CRM(DB) 4835 of 2023 is accordingly allowed and disposed of in terms of the above.

(APURBA SINHA RAY, J.)

(SHAMPA SARKAR, J.)