

01.05.2023
KC (12)

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(DB) 169 of 2023

In the Matter of : Rahamat @ Md.Rahamat
.... petitioner.

Mr. Sudip Guha.....For the petitioner.

Mr. A.S. Chakrabaorty, Ld. A.P.P.,
Mr. Abhijit Sarkar,
Mr. Arjun Chowdhury.....For the State.

This is an application for grant of bail filed under Section 439 of the Code of Criminal Procedure, 1973 in connection with F.I.R. No. 210 of 2021 dated 22nd July, 2021 under Section 395 of the Indian Penal Code read with Sections 25/27 of the Arms Act, corresponding to G.R. Case No. 3225 of 2021 pending before the court of learned Additional District and Sessions Judge, Fast Track Court, Siliguri.

The allegation against the petitioner is robbery.

The petitioner is in custody for nearly two years.

The alleged incident is of 22nd July, 2021.

Charge-sheet has been submitted on 21st October, 2021 and charges were framed on 21st May, 2022.

The prosecution we are told proposes to examine more than 40 witnesses out of which only 2 witnesses have so far undergone examination.

Considering the above facts we think it fit to allow this application for bail on the following conditions:

The petitioner will be enlarged on bail upon furnishing a bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri on the following conditions:

1. The petitioner shall deposit his passport, if he has one, with the investigating officer,
2. He shall meet the investigating officer once a week,
3. The petitioner shall not leave the limits of the District Uttar Dinajpur where he resides without informing the I.C.,
4. He shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
5. The petitioner shall attend the court on each and every day of trial, in default, the court shall be at liberty to cancel the bail bond without any reference to this bench.

The application for bail [CRM (DB) 169 of 2023] is,
accordingly, disposed of.

(I.P. MUKERJI, J.)

(ANANYA BANDYOPADHYAY, J.)