

02.05.2023
KC (18)

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

C.R.M.(DB) 186 of 2023

In the Matter of : Abdul Manjur and Anr.
.... petitioners.

Mr. Arunava Paul.....For the petitioners.

Mr. Tapan Bhattacharjee,
Mr. Arjun Chaudhury.....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 Sessions Case No. 125(11) of 2021 pending before the court of learned Additional District and Sessions Judge, Fast Track Court, Siliguri.

The petitioners are accused of robbery.

They are in custody for nearly two years.

Charge-sheet has been filed. Charges have also been framed.

Out of 40 witnesses only one has been examined.

Yesterday, a bail application by a co-accused in the self-same case [CRM (DB) 169 of 2023 : Rahamat @ Md. Rahamat -vs- State of West Bengal] was allowed by us.

For the above reasons, we allow this application for bail on the following conditions:

The petitioners will be enlarged on bail upon furnishing a bond of Rs. 10,000/- (Ten Thousand) each 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 petitioners shall deposit their passport, if they have one, with the investigating officer,
2. They shall report before the said officer once a week,
3. The petitioners shall not leave the limits of the district Uttar Dinajpur without informing the I.C.,
4. They shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
5. The petitioners 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) 186 of 2023] is,
accordingly, disposed of.

(I.P. MUKERJI, J.)

(ANANYA BANDYOPADHYAY, J.)