

16.06.2023
Ct.No. 1
Item No. Supp.1
Saswata

***CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI***

C.R.M. (DB) 289 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Dinhata PS case no. 430 of 2021 dated 20.08.2021 under Sections 341/323/326/307/120B/34 of the IPC read with Sections 25(1A)/27 of the Arms Act read with Section 3/4 of the Explosive Substance Act.

And

In the matter of : **Manirul Hasan @ Moni**

...petitioner

Mr. Partha Pratim Sarkar
Mr. Sudip Guha

...For the petitioner

Mr. Niloy Chakraborty
Mr. Sourav Ganguly

....For the State

1. Learned Counsel for the petitioner submits that the petitioner is in a better footing than Mafujar Rahaman, who was granted bail in CRM 1090 of 2021 on 26th November 2021 and the prayer for bail may be considered.
2. Learned Counsel for the State, in opposing the prayer for bail submits that the petitioner stands on the same footing as Mafujar Rahaman.
3. Considering the fact that the co-accused had been granted bail on 26th November 2021 and the fact that no particular overt act has been attributed to the present petitioner and as he stands on the same footing as Mafujar Rahaman,

4. we are of the opinion further detention of the petitioner is not necessary and the petitioner may be enlarged on bail on the following conditions:-

- i. We direct the petitioner to 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 Learned Chief Judicial Magistrate, Cooch Behar
- ii. The petitioner shall attend each and every date of trial.
- iii. The petitioner shall not intimidate the witnesses and tamper with the evidence in any manner whatsoever.
- iv. In the event of non-compliance of any of the conditions enshrined above, the bail shall stand automatically cancelled without further reference to this Court.

5. CRM (DB) 289 of 2023 is, accordingly, **disposed of**.

6. All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)

