

14. 14.07.2023
Court
No.1 Tanmoy Ghosh

Allowed

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

CRM (DB) 413 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Sahebganj Police Station Case No. 216 of 2023** dated **14.06.2023** under Section **25 (A-1)/27** of the Arms Act.

And

In the matter of: - **Jewel @ Juyel Rahaman @ Juel Haque**

...petitioner.

Mr. Sudip Guha, Adv.

...for the petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP,

Mr. Sourav Ganguly, Adv.

...for the State.

Heard learned Advocate for the petitioner and learned Advocate for the State at length.

It is contended on behalf of the present accused/petitioner that considering the fact that the present case is an outcome of a political rivalry wherein the present accused/petitioner has been falsely implicated, the instant application for bail may be considered favourably. It is further contended that the present accused/petitioner is languishing in Jail Custody since June 13, 2023.

While opposing the prayer for bail, learned Advocate for the State draws our attention to the seizure list as well as the statement of the present accused recorded under Section 161 of the Code of Criminal Procedure, 1973, leading to the discovery of the alleged illegal firearms.

On a perusal of the entire material placed before us, we are of the view that there are some incriminating material as against the present accused/petitioner. However, considering the period of detention of the present accused/petitioner and also considering the fact that investigation has, in the meantime, progressed substantially, we are inclined to allow the prayer for bail on some stringent conditions.

Accordingly, we direct that the petitioner, namely, **Jewel @ Juyel Rahaman @ Juel Haque**, shall be released on bail upon furnishing a bond of Rs. 10,000/- with two registered sureties of like amount each, subject to the satisfaction of the learned Additional Chief Judicial Magistrate, Dinhata, Cooch Behar, on condition that the present accused/petitioner shall meet the Investigating Officer of this case as and when called for till submission in Final Form and on further condition that the present accused/petitioner shall not leave the District- Cooch Behar till conclusion of investigation in connection with this case.

In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the trial Court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail being CRM (DB) 413 of 2023 is accordingly allowed and disposed of.

(Arijit Banerjee, J.)

(Partha Sarathi Sen, J.)