

17.01.2024
SL No.38
SB/s.biswas
(Allowed)

C.R.M. (DB) 134 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kulti P.S. Case No. 502 of 2021 dated 23.09.2021 under Sections 25(1)(a)/1B(a)(c)/(6)/(7)(i)/(8)/26/27(1)/29(a)(b)/35 of the Arms Act read with Section 120B of the IPC.

And

In the matter of: Anwar Khan

....Petitioner

Mr. Sourav Chatterjee
Mr. Avik Ghatak
Mr. Fahad Imam

...for the Petitioner

Mr. Prasun Kumar Dutta
Mr. Shashanka Shekhar Saha

...for the State

1. Heard learned advocates for the parties.
2. Petitioner is in custody for more than two years. There is delay in trial. Co-accused have been enlarged on bail. Petitioner stands on the same footing with the co-accused who are on bail.
3. Under such circumstances, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional District and Sessions Judge, Fast Track 2nd Court, Asansol, subject to the condition that the petitioner shall appear before the learned trial court on every

day of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail of the petitioner without any further reference to this Court.

6. The application for bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)