

22.01.2024
tkm/ct 28
sl no. 42

C.R.M. (DB) 195 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Baishnabnagar PS case no. 540 of 2023 dated 10.8.2023 under sections 489B/489C/120B/34 IPC
and

Allowed

In Re : Babar Ali @ Babor Sk @Babu @Babor Ali petitioner

Mr. M Alam Sk
Mr. S Sarkar
Ms. S Ghorai

..... for the petitioner

Mr. Debasish Roy, Id PP
Ms. Sreyashee Biswas

..... for the State

1. Liberty to correct the cause title of the petition.
2. Petitioner submits no FICNs were recovered from his possession. He has been falsely implicated out of suspicion. He is in custody for 148 days. He prays for bail.
3. Learned lawyer for the State opposes the bail prayer.
4. We have considered the materials on record. No FICNs were recovered from the petitioner. His complicity is based on CDRs showing telephonic communication between the petitioner and co-accused. Contents of such conversation are not known. In view of the materials on record and extent of complicity of the petitioner in the crime we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner 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 CJM Malda on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
6. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
7. The application being CRM (DB) 195 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)