

30.01.2024  
tkm/ct 28  
sl no. 34

**C.R.M. (DB) 257 of 2024**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Noapara PS case no. 193 of 2023 dated 3.8.2023 under sections 326/307/201/120B/34 IPC & 25(1B)(a)/27/35 of the Arms Act

**Allowed**

and  
In Re : Sk Raju @ Babu Vai ..... petitioner

Mr. D Kar  
..... for the petitioner  
Mr. Swapan Banerjee  
Mr. Arani Bhattacharya  
..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Petitioner is in custody for 130 days. Petitioner is not the principal accused who had fired at the victim. Co-accused Parbati Das is on bail. Keeping in mind the extent of complicity of the petitioner in the crime we are inclined to grant bail to the petitioner.
3. 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 ACJM Barrackpore on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
4. 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.
5. The application being CRM (DB) 257 of 2024 is disposed of.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**