

08.02.2024.
28.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 393 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Noapara P.S. Case No.193 of 2023 dated 03.08.2023 under Sections 326/307/201/120B/34 of the Indian Penal Code and Sections 25(1-B)(a)/27/35 of the Arms Act.

In the matter of : **Nepal Das.**

.... Petitioner.

Mr. Arindam Jana,
Mr. Subhajit Chowdhury,
Mr. Arhan Sengupta,
Mr. Partha Pratim Sinha

...for the Petitioner.

Mr. Antarikhya Basu.

...for the State.

1. Petitioner is in custody for four months. It is contended co-accused are on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits petitioner is a habitual offender. He has criminal antecedents.
3. We have considered the materials on record. Co-accused are on bail. There is no direct evidence connecting him with crime.
4. Under such circumstances, we are inclined to grant bail to the petitioner subject to conditions.
5. Accordingly, the petitioner viz., **Nepal Das** 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 Chief Judicial Magistrate, Barrackpore, North 24-Paraganas subject to condition that he shall appear before the trial court on every

date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition petitioner while on bail shall meet the Officer-in-charge, Noapara Police Station once in a week until further orders.

6. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)