

16.02.2024.
48.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 466 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baishnabnagar P.S. Case No.04 of 2021 dated 03.01.2021 under Sections 489B/489C of the Indian Penal Code and Sections 25(i)(a) of the Arms Act.

In the matter of : **Surojit Tarafdar.**

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Sujay Sarkar.

...for the State.

1. Petitioner is in custody for more than three years. He submits there is little possibility of trial concluding in the near future. Accordingly, she prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits 192 pieces of Fake Indian Currency Notes (for short FICNs) were recovered along with a firearm. Four witnesses have been examined.
3. We have considered the materials on record. Petitioner has suffered incarceration for a considerable period of time. Offences, if proved, would not attract mandatory life imprisonment. Delay in the matter cannot be attributed to the petitioner.
4. Under such circumstances, we are inclined to grant bail to the petitioner.

5. Accordingly, the petitioner viz., **Surojit Tarafdar** 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 Chief Judicial Magistrate, Malda 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.

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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)