

**23.02.2024.**  
**38.**  
**Ct.No.28.**  
**as**  
**(Allowed)**

**C.R.M. (DB) 465 of 2024**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chanchal P.S. Case No.52 of 2021 dated 12.01.2021 under Sections 489B/489C/120B of the Indian Penal Code and Sections 25(i)(a)/27/35 of the Arms Act.

In the matter of : **Sarban Lal Singh & Anr.**

.... Petitioners.

Mr. Mazhar Hossain Chowdhury.

...for the Petitioners.

Mr. Neguive Ahmed, Id. A.P.P.,  
Mr. Bibaswan Bhattacharyya.

...for the State.

1. Heard the learned Advocates for the parties..
2. We have considered the materials on record. Petitioners are in custody for more than three years. There is delay in trial. Co-accused has been enlarged on bail.
3. Under such circumstances, we are inclined to grant bail to the petitioners.
4. Accordingly, the petitioners viz., **Sarban Lal Singh and Haripada Ghosh** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Chanchal, Malda subject to condition that they 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.

5. In the event the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

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

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**