

04.03.2024
29
sdas
allowed

CRM(DB) No. 625 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda Police Station Case No. 538 of 2023 dated 10.09.2023 under Sections 489B/489C/120B of the Indian Penal Code.

And

In Re : Abdul @ Obaidul Hoque petitioner

Md. Wasim Akram

....for the petitioner

Ms. Sreyashee Biswas

.... for the State

1. Learned Counsel for the petitioner submits he is in custody for 149 days. It is also submitted no Fake Indian Currency Note (in short FICN) was recovered from the petitioner. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits he has criminal antecedents. CDRs show telephonic conversations between the petitioner and the co-accused from whom FICNs were recovered.

3. We have considered the materials on record. No FICN was recovered from the petitioner. Though investigating agency has collected CDRs showing telephonic conversation between the petitioner and co-accused from whom FICNs were recovered, contents of such conversation are unknown. Investigation is complete. In view of scanty materials on record implicating the petitioner, we are inclined to grant bail to the petitioner.

4. Accordingly, we direct that the petitioner 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 Chief Judicial Magistrate, Malda, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

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

6. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)