

19.03.2024
tkm/ct 28
sl no. 58

C.R.M. (DB) 854 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. 741 of 2023 dated 23.10.2023 under sections 489B/489C/120B/34 IPC
and

Allowed In Re : Asim Sarkar @ Bhodu ... petitioner

Md. Wasim Akram
..... for the petitioner
Mr. Joydeep Biswas
..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. No Fake Indian Currency Note (FICN) was seized from the petitioner. His complicity has transpired from the statement of co-accused before police officer which is inadmissible in evidence.
3. Under such circumstances we are inclined to grant bail to the petitioner.
4. 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 CJM Malda on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
5. 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.
6. The application being CRM (DB) 854 of 2024 is disposed of.

(Gaurang Kanth, J.) **(Joymalya Bagchi, J.)**