

03.04.2024
67
S.D./A.D.
Bail

CRM(DB) No. 991 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baishnabnagar Police Station Case No. 370 of 2023 dated 06.06.2023 under Sections 489B/489C/120B of the Indian Penal Code.

And

In Re : Nur Mahammad Sk @ Naro petitioner

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Mzjumder
Mr. Arindam Poali

....for the petitioner

Mr. Saibal Bapuli, Ld. A.P.P.,
Mr. Sana Naaz

.... for the State

1. Petitioner submits no Fake Indian Currency Notes (FICNs) were recovered from his possession. He is in custody for 95 days. He prays for bail.

2. Learned Lawyer for the State submits petitioner is involved in the racket of dealing in FICNs.

3. We have considered the materials on record. A large volume of FICNs were recovered from co-accused. No FICN was recovered from the petitioner. His complicity has transpired from statement of co-accused before a police officer which is inadmissible in evidence.

4. In view of the extent of complicity of the petitioner, we are inclined to enlarge him on bail.

5. Accordingly, we are inclined to grant bail to the petitioner.

6. 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 learned Chief Judicial Magistrate, Malda, subject to condition that petitioner 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 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)