

25.04.2024
Sl. No.21
akd
[ALLOWED]

C. R. M. (DB) 1300 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.04.2024 in connection with Farakka Police Station Case No.381 of 2023 dated 05.10.2023 under Sections 489B/489C/34 of the Indian Penal Code. (G.R. Case No.2600 of 2023)

And

In Re: ***Mofi Sk. @ Rabiul Islam & Ors.***

... .. Petitioners

Mr. Swapan Kumar Mallick
Mr. Sabyasachi Mondal
Ms. Sudeshna Das
Ms. Payel Khanra

... .. for the petitioners

Mr. Imran Ali
Mr. Sayan Dev Kumar

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about 42 days. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. No Fake Indian Currency Notes (FICNs) was recovered from the petitioners. Their complicity has transpired from the statement of co-accused before police officer which is inadmissible in evidence. Under such circumstances and in view of the period of detention suffered by the petitioners, we are of the opinion further detention of the petitioners is not necessary.
4. Therefore, the petitioners, namely ***(1) Mofi Sk. @ Rabiul Islam, (2) Raju Sk. @ Obaidur Sk. @ Ajul, (3) Anwar Hossain @ Anwar Sk. @ Saddam Sk. & (4) Bapon Sardar @ Bapon Sardar***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial

Magistrate, Jangipur, Murshidabad subject to condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)