

10.06.2024
Item no.35.
Court No.28.
S. De

CRM (DB) No. 1578 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 13.05.2024 in connection with Raninagar Police Station Case No. 252 of 2024 dated 27.04.2024 under Sections 399/402 of the Indian Penal Code.

And

In the matter of : Lalon Sk. @ Dulal Petitioner.

Mr. Mrityunjoy Chatterjee,
Ms. Debapriya Majumder,
Mr. A. Sarkar, for the Petitioner.

Mr. Kunal Gangully, for the State.

The petitioner says that he has been falsely implicated. The charge is of attempted dacoity. There was no such incident. The complaint was politically motivated just before the general elections. He is in custody for forty-two days. He is prepared to co-operate with the Investigating Authority to the fullest extent.

Learned advocate for the State opposes the prayer for bail. He says that investigation is yet to be completed. There is a possibility of the petitioner absconding.

We have seen the material in the case diary and have considered the facts and circumstances of the case. The petitioner's contention that the complaint was prompted by political reasons cannot be totally ruled out. We are of the view that the prayer for bail of the petitioner may be granted subject to the petitioner co-operating with the Investigating Agency.

Accordingly, we direct that the petitioner, namely **Lalon Sk. @ Dulal** 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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad and on further conditions that he shall remain within the jurisdiction of the concerned police station and on further condition that he will co-operate with the Investigating Agency to the fullest extent and shall not leave his local address without the permission of the trial Court.

The 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 and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

