

21.06.2024
Item no. 30.
Court No.28.
AB
(Allowed)

CRM (DB) 1839 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Bhadreswar Police Station Case No.175 of 2024 Dated 2.5.2024 under Sections 25 (i)(a)/27 of the Arms Act

And

In the matter of : Md. Kurban @ Pikua @ Md. Qurban

.....Petitioner.

Mr. Suman Chakrabortyfor the Petitioner.

Mr. Saibal Bapuli,
Ms. Sujata Dasfor the State.

The petitioner is the sole accused in this case registered under the provisions of the Arms Act. He says that he is in custody for 51 days. Investigation is in progress. However, his continued detention is not necessary. He is willing to cooperate with the Investigating Officer fully.

Learned Advocate for the State opposes the prayer for bail and says that six other cases under the Arms Act are pending against the petitioner. However, the petitioner is on bail in all those cases.

Considering the facts and circumstances of the case, the gravity of the offence and the possible extent of complicity of the petitioner in the alleged offence, we are of the opinion that although charge sheet is yet to be submitted, custodial detention

of the petitioner is not necessary so long as he cooperates with the Investigating Officer.

Accordingly, we direct that the petitioner, namely **Md. Kurban @ Pikua @ Md. Qurban** 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, Chandannagar, and on further conditions that he shall not leave the jurisdiction of the concerned police station until further orders and shall report to the Investigating Officer once in a week till completion of investigation.

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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

