

05.08.2024  
Sl. No.55  
akd  
[ALLOWED]

**C. R. M. (DB) 2333 of 2024**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 16.07.2024 in connection with Kaliganj Police Station Case No.127 of 2023 dated 06.03.2023 under Sections 157/148/149/326/307/353/333 of the Indian Penal Code, Sections 4/5/6 of the Explosive Substances Act, Section 9 of the Maintenance of Public Order Act and Section 4 of the Prevention of Damage to Public Property Act, 1984.

And

In Re: ***Muktar Sk. & Anr.***

... .. Petitioners

Mr. Prabir Majumder

... .. for the petitioners

Mr. Joydeep Biswas  
Mr. Asif Dewan

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about 490 days. Co-accused have been enlarged on bail. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Petitioners are in custody for a considerable period of time. There is no possibility of trial concluding in the near future. Co-accused have been enlarged on bail. Under such circumstances, we are of the opinion further detention of the petitioners is not necessary.
4. Therefore, the petitioners, namely ***(1) Muktar Sk. & (2) Sabin @ Sabibul Sk.,*** 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 Chief Judicial Magistrate, Nadia at Krishnagar 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.)**