

20. 08.10.2024
Court
No.28 (Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2618 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 arising out of **Jhargram** Police Station Case No. **72/2023** dated **16.03.2023** under Sections **489B/489C** of the Indian Penal Code.

And

In the matter of: - **Sk Momin Ali & Anr.**

...petitioners.

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha

...for the petitioners.

Mr. Joydeep Biswas
Ms. Diksha Ghosh

...for the State.

Dictated by Arijit Banerjee, J.

1. Read order dated October 7, 2024.
2. Learned State Advocate says that all seven charge-sheet named witnesses are proposed to be examined by the State.
3. The petitioners are in custody for one and half years. There seems to be little possibility of an early conclusion of the trial.
4. Considering the nature and gravity of the alleged offence and the long detention of the petitioners, we are inclined to allow their prayer for bail.
5. Accordingly, we direct that the petitioners, namely, **1. Sk Momin Ali, 2. Manab Mazumdar @ Rahul** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Sessions Judge, 2nd Court, Jhargram, subject to

condition that the petitioners shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioners, while on bail, shall not enter the geographical limits of the district of Jhargram except for the purpose of attending Court proceeding and shall furnish his present address, where he will be residing, to the Officer-in-Charge/Inspector-in-Charge of the said Police Station and shall also report to the Officer-in-Charge/Inspector-in-Charge of the jurisdictional Police Station, where he will be presently residing, once in every week, until further orders.

6. In the event the petitioners fail to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.
7. The application for bail being CRM (DB) 2618 of 2024 is accordingly disposed of.
8. Criminal Section is directed to make available urgent photostat certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)