

CRM (DB) 2607 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the BNSS in connection with **Chanchal Police Station** Case No. **1678 of 2023** dated **26.12.2023** under Sections **397/120(B)/109/412** of the Indian Penal Code.

- A n d -

In the matter of : Abhay Kumar Suman

.... Petitioner.

Mr. Amit Ranjan Pati,
Mr. S. Ghosh,

... For the Petitioner.

Mr. Kaustav Banerjee,

... For the State.

Order dictated by Apurba Sinha Ray, J.:

1. Learned Counsel for the petitioner says that the petitioner is in custody for 146 days. Investigation is complete and there is no need for his further custodial detention.

2. Learned Counsel for the State opposes the bail prayer. According to him one incriminating weapon has been recovered from the custody of the present petitioner and there is sufficient incriminating evidence against the present petitioner. He prays for rejection of the bail prayer.

3. We have considered the materials on record. It appears that investigation is complete. Incriminating articles have already been seized and there is no need for further custodial detention of the present petitioner. Therefore, bail prayer of the petitioner is allowed.

4. Accordingly, we direct that the petitioner, namely, **Abhay Kumar Suman**, 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, Chanchal, Malda and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a week until further orders. 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 in any manner whatsoever.

5. 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.

6. The application for bail is, accordingly, allowed.

7. 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.)