

59.
25-11-2024
(ct. no.29)
S. De
(Allowed)

CRM (DB) 2846 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Sankrail Police Station Chargesheet No. 468** of **2023** dated **27.05.2023** under **Sections 341/323/325/307/385/34** of the Indian Penal Code 1860 read with **Section 25(1-B)(a)** of the Arms Act.

And

In the matter of : Md. Salauddin @ Salao.Petitioner.

Md. Khairul,

.....for the Petitioner.

Mr. Subhomoy Bhattacharyya.

Mr. Atulya Sinha,for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that the learned Trial Court has granted bail to the prime accused namely, Sakil Ahmed Khan. Investigation is complete. Chargesheet has been filed. His further custodial detention is unnecessary.
2. Learned State advocate opposes the prayer. He says that this petitioner along with other accused persons were actively involved in extorting money at a market place threatening them with firearms. He was absconding from 2021 till 2023.
3. We have considered the material on record and the facts and circumstances of the case. The prime accused has been extended the privilege of bail. We do not see how this petitioner stands on a worse footing than Sakil, the prime accused. Therefore, we are inclined to allow the petitioner's prayer for bail but on stringent conditions.

4. Accordingly, we direct that the petitioner, namely, **Md. Salauddin @ Salao**, 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 Chief Judicial Magistrate, Howrah subject to the condition that he shall not leave the jurisdiction of the Sankrail Police Station and shall meet the Officer-in-Charge/Inspector-in-Charge of the concerned police station once in every week until further orders.
5. 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.
6. 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.
7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Subhendu Samanta, J.)

(Arijit Banerjee, J.)