

CRM (DB) 2891 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of BNSS in connection with **Baishnabnagar Police Station** Case No. **38 of 2024** dated **11.01.2024** under Sections **395/397/412** of the Indian Penal Code.

- A n d -

In the matter of : Shish Mohammad @ Sish Mohammad

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick,

... For the Petitioner.

Mr. Partha Sarathi Das,
Mr. Atulya Sinha,

... For the State.

1. Heard the learned lawyers for both the parties.
2. We have considered the materials on record. There is no legally admissible evidence connecting the petitioner to the offence of dacoity. He is in custody for 68 days. Investigation is complete.
3. Under such circumstances, we are inclined to release the petitioner on bail.
4. Accordingly, we direct that the petitioner, namely, **Shish Mohammad @ Sish Mohammad**, 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, Malda and on further conditions that 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 his bail in accordance with law without further reference to this court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)