

18.11.2024
Item no. 116.
Court No.29.
AB
(Allowed)

CRM (DB) 2952 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jamboni Police Station Case No.15 of 2024 Dated 19.02.2024 under Section 447/386/34 of the Indian Penal Code read with Sections 25(1B)/25(6) of the Arms (Amendment) Act 2019

And

In the matter of : Manoranjan Hembram @ Manaranjan

.....Petitioner.

Mr. Amit Ranjan Pati,
Ms. Swastika Choudhuryfor the Petitioner.

Mr. Bibaswan Bhattacharya
Mr. Debanshu Ghoraifor the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner has submitted that the petitioner is in custody for about 221 days and nothing was recovered from his possession. Investigation is complete. He may be granted bail on any condition.
2. Learned Counsel for the State opposes the prayer for bail. He draws the attention of this Court to the statement of a witness recorded under Section 161 Cr.P.C. wherein the said witness narrated that the present petitioner was present at the time of occurrence. However, he has left the matter to the discretion of this Court.

3. We have gone through the material in the case diary. No incriminating article was recovered from the present petitioner. Further, he was not identified in the TI parade. He was not named in the first information report. He was implicated on the basis of statement made by co-accused person. Investigation is complete. There is no need for further custodial detention of the present petitioner.
4. Accordingly, we direct that the petitioner, namely **Manoranjan Hembram @ Manaranjan** 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 Sessions Judge, 1st Court, Jhargram, 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 fortnight 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 and/or commit any cognizable offence 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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)