

11.12.2024
Ct. No. 28
SL No. 13
CP

C.R.M. (DB) 3905 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of B.N.S.S., 2023 in connection with **Baishnabnagar** P.S. Case No. **896 of 2024** dated **29.08.2024** under Sections 179/180/61(2) of the B.N.S, 2023.

And

In the matter of: Akbar Ali & Anr.

Mr. Arup Kumar Bhowmick

...for the Petitioners

Mr. Arani Bhattacharyya

....for the State

1. Petitioners contend no Fake Indian Currency Notes (FICN) was recovered from them. Petitioner no. 1 is on bail in the other case where he was falsely implicated. They pray for bail.
2. Learned counsel for the State opposes the bail prayer and submits that the petitioners are the habitual offender. FICNs of similar series were recovered from them in another case.
3. We have considered the materials on record. Petitioner no.1 was implicated in a case alleging possession of FICNs. He has been enlarged on bail in the said case. In the meantime, he has been shown arrested in the present case. No FICN was recovered from either of the petitioners. In such view of the matter, we are of the opinion further detention of the petitioners is not necessary and they may be enlarged on bail.
4. Accordingly, we direct the petitioners namely, **Akbar Ali and Aliul Sk @ Soleman**, shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial

Magistrate, Malda, subject to condition that the petitioners shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever. While on bail, the petitioners shall report to the Officer-in-Charge, Baishnabnagar Police Station once in a week until further orders.

5. In the event petitioners fail to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel their bail without any further reference to this Court.
6. The application for bail is, thus, allowed and disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)