

02.01.2024
Sl. No.26
akd
[ALLOWED]

C. R. M. (DB) 4787 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.12.2023 in connection with STF Police Station Case No.36 of 2022 dated 27.12.2022 under Sections 4/5 of the Explosive Substances Act, Section 120B of the Indian Penal Code and Sections 130(1)/130(3)/177 of the M.V. Act.

And

In Re: **Sk. Ramjan @ SK. Rumjan @ Lalai**

... .. Petitioner

Mr. Imtiaz Ahmed
Mrs. Gazala Firdous
Md. Zeeshanuddin
Ms. Amrin Khatoon

... .. for the petitioner

Mr. Iqbal Kabir

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than a year. It is further submitted there is slow progress in trial. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits a large volume of *arsenic sulphide* i.e. explosive substance was recovered from the possession of the petitioner. Trial is in progress.
3. We have considered the materials on record. Allegation against the petitioner is serious but he has suffered incarceration for more than a year. Prosecution proposes to examine seven witnesses in all. There is no possibility of trial concluding in the near future. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Sk. Ramjan @ SK. Rumjan @ Lalai**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like

amount each, one of whom must be local, to the satisfaction of the learned Chief Metropolitan Magistrate, City Sessions Court, Calcutta subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)