

20. Court No.34 (Allowed) 29.04.2025 (Pritam)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 718 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Baishnabnagar** Police Station Case No.**896/2024** dated **29.08.2024** under Sections **179/180/61(2)/111/3(4)** of the BNS, 2023.

And

In the matter of: - **Ramjan Sk.**

.....petitioner.

Mr. Wasim Akram,
Ms. Sabrina Parvin.

...for the petitioner.

Mr. Debasish Roy, Ld. P.P.,
Ms. Baisali Basu,
Ms. Purnima Ghosh.

...for the State.

Report submitted by the State be taken on record.

The petitioner is in custody for about seven months and prays for bail. Learned counsel for the petitioner takes this court to the seizure list prepared by the BSF authority who apprehended the petitioner. The seizure list does not bear the signature/LTI of the petitioner and records that there was no witness present at the time of seizure.

Learned counsel for the State opposes the prayer and submits that the fingers of the left hand of the petitioner have been amputated due to bomb blast injuries and he puts his

right thumb impression instead. However, the seizure list prepared on August 28, 2024 does not bear the same. The re-seizure is of the said articles is shown to have been made on August 29, 2024 at Baishnabnagar Police Station, Malda which bears the right thumb impression of the petitioner which was not identified by any person.

Upon consideration of the material on record, this court is of the view that the alleged seizure cannot, *prima facie*, be connected to the petitioner. Considering the extent of complicity of the petitioner in the alleged offence, the prayer for bail is allowed.

Accordingly, the petitioner, namely, **Ramjan Sk.** shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Malda subject to condition that he shall remain within the jurisdiction of Baishnabnagar Police Station and shall furnish the address where he shall presently reside before the learned trial court and the Investigating Officer. The petitioner shall appear before the learned trial court on every date of hearing and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this court.

The application for bail being CRM (DB) 718 of 2025 is, thus, disposed of.

Let the case diary be returned.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)