

05
10.04.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 6 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Kandi P.S. Case No. 1118 of 2015 dated 27.12.2015 under Sections 302/307/326/34 of IPC and Section 3 /4 of Explosive Substances Act and Section 25/27 of Arms Act.

And

In Re : **Bila Sk. @ Bani Israil**

... Petitioner.

Mr. Manas Kumar Das ... for the Petitioner.

Mr. Joydeep Roy

Mr. Sujoy Sarkar ... For the State.

Learned counsel for the petitioner submits that the petitioner is in custody for more than 100 days. He surrendered voluntarily before the learned trial Court and was taken into custody. Co accused including the principal accused have been granted bail. Charge sheet has been submitted. Further detention of the petitioner is not required.

Opposing the prayer learned counsel for the State submits that the petitioner is a member of the gang which hurled bombs on a group of persons and one person succumbed to the injuries. The petitioner was absconding for about 9 years and may further abscond if granted bail at this stage.

It appears that the petitioner surrendered before the learned trial Court and is in custody since then. Co accused

standing on the same footing have been granted bail earlier. Charge sheet has been submitted.

Considering the material on record as well as period of detention of the petitioner, this Court is inclined to hold that further detention of the petitioner is not required and he may be released on bail subject to stringent conditions.

The prayer for bail is allowed.

The petitioner **Bila Sk. @ Bani Israil** be released on bail upon furnishing 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 Additional Chief Judicial Magistrate, Kandi, Murshidabad subject to condition that he shall not enter Kandi P.S. except for the purpose of appearing before the learned trial Court on every date of hearing and shall furnish the address where he shall henceforth reside before the learned trial Court, investigating officer and the Officer in charge of the concerned P.S. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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

The application for bail is thus disposed of.

Case Diary be returned.

All parties shall act on the server copy 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.)