

25.04.2025

14

jb.

jdt.

Allowed

C.R.M. (M) 62 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatia Nagarik Suraksha Sanhita in connection with Baghmundi Police Station Case No. 135/23 dated 17.10.2023 under Sections 363/364/302/201/120B of the Indian Penal Code and under Sections 25/27/35 of the Arms Act.

And

In Re : Main @ Moinuddin Ansari

... Petitioner.

Mr. Sabyasachi Banerjee

Ms. Pragya Banerjee

... For the Petitioner.

Mr. Partha Pratim Das

Ms. Sima Biswas

... For the State.

The petitioner is in custody for more than 8 months and prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record. Though the offence is extremely grievous in nature, name of the petitioner has transpired from the statement of the co-accused and there is no other *prima facie* material against the petitioner connecting him to the alleged offence.

In view of the above, this Court is inclined to hold that further detention of the petitioner is not required.

Accordingly, the prayer for bail is allowed.

The petitioner namely Main @ Moinuddin Ansari shall 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 Chief

Judicial Magistrate, Purulia subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and he shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing without any 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 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.)