

25.07.2025

Item No.17

Ct.No.34

rc.

Allowed

C.R.M. (M) 613 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Khargram Police Station Case No. 231 of 2023 dated 08.07.2023.

And

In Re : **Tantu Babu @ Lalchand Sk.**

... Petitioner

Mr. Sekhar Basu

Mr. Manas Kumar Das

Mr. Mridul Biswas

... for the Petitioner

Mr. Saibal Bapuli

Ms. Sonali Das

Mr. Dipankar Pramanick

... for the State

Heard learned counsels for the parties.

The petitioner is in custody for more than one year and six months.

Learned counsel for the petitioner submits that the co-accused similarly placed with the petitioner have been granted anticipatory bail by this Court. The petitioner prays for bail.

Opposing the prayer, learned counsel for the State submits that nine co-accused are still absconding. Bail prayer of one of the co-accused standing on the same footing as the present petitioner was turned down by this Court on April 22, 2025.

I have considered the material on record. The co-accused who have been granted anticipatory bail by this Court appear to be similarly circumstanced with the petitioner. This Court is informed that the State has not sought cancellation of the anticipatory bail. There has been subsequent arrest of co-accused and after completion of evidence of PW-1 and PW-2, date has been fixed for de novo trial in respect of the co-accused subsequently arrested. It will take some time for trial to be completed.

In view of the fact that the petitioner is similarly circumstanced with the co-accused who have been granted anticipatory bail earlier, this Court is inclined to hold that the petitioner deserves to be released on bail.

Accordingly, prayer for bail is allowed.

The petitioner **Tantu Babu @ Lalchand Sk.**, 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 remain within the jurisdiction of the learned trial Court and shall furnish the address where he shall presently reside before the learned trial Court, Investigating Officer and the Officer in Charge of the concerned police station under whose jurisdiction he shall henceforth reside. He shall provide his mobile number to the authorities stated above and shall not change the same without prior intimation to them. He shall appear

before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions mentioned 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.

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

(Suvra Ghosh, J.)