

12.09.2025

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jb.

jdt.

Allowed

C.R.M. (M) 1326 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with STF Police Station Case No. 01 of 2025 dated 28.01.2025 under Section 61(2) of the Bharatiya Nyaya Sanhita read with Sections 25(1a)/25(1B)(a)/25(6)/29/35 of the Arms Act with added Sections 310(4)/310(5) of the Bharatiya Nyaya Sanhita.

And

In Re : Rukesh Sahani

Mr. Sourav Chatterjee
Mr. Sunny Nandy
Mr. Purnendu Maity
Ms. Yamini Tiwari

... For the Petitioner.

Mr. Subhamoy Bhattacharya
Ms. Rajashree Tah

... For the State

Learned counsel for the petitioner submits that the petitioner is in custody for more than 200 days and prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

The petitioner was apprehended with the co-accused near Surendranath College, Kolkata. No recovery has been made from him. Charge sheet has been submitted. His further detention is not required. He may be released on bail subject to stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioner namely Rukesh Sahani 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, Calcutta 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, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction he shall presently reside. He shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, 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.

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.)