

18. 18.02.2025.
Court
No.26 (Pritam)
(Allowed)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3771 of 2024

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 **Ketugram** Police Station Case No.**216/2024** dated **13.05.2024** under Sections **341/307/302/506/34** of the IPC, 1860 & 3/4 E.S. Act read with Sections 25/27 of the Arms Act.

And

In the matter of: - **Goni Sk. @ Geni Sk.**

...petitioner.

Ms. Minoti Gomes

...for the petitioner.

Mr. Md. Idrish

...for the *de-facto*.

Mr. Rana Mukherjee, Ld. A.P.P.,
Ms. Debjani Dasgupta

...for the State.

1. Petitioner prays for bail.
2. Learned advocate appearing for the petitioner submits that, the petitioner is 74-year-old. Petitioner was not named in the First Information Report (FIR). Petitioner was falsely implicated. In any event, the police filed charge-sheet.
3. Learned Additional Public Prosecutor draws the attention of the court to the materials in the case diary. He submits that, there is statement recorded under Section 161 Cr.P.C. implicating the petitioner as one of the main conspirators in the murder.

Gunpowder was recovered from the possession of the son of the petitioner.

4. Materials in the case diary suggest that, the police are proceeding on the basis of the statements of the co-accused made in custody. Gunpowder recovered from the possession of the son of the petitioner may not implicate the petitioner himself.
5. Considering the period of custody and the fact that the police filed charge-sheet and the charges are framed, we are inclined to grant bail to the petitioner.
6. Accordingly, we direct that the petitioner, namely, **Goni Sk. @ Geni Sk.** shall be released on bail upon furnishing a 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 A.C.J.M., *Katwa, Purba Bardhaman*. The petitioner shall appear before the trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall not enter the territorial jurisdiction of *Ketugram* Police Station except for the purpose of attending the court proceedings and meeting the Officer-in-Charge/Inspector-in-Charge of the said police station, until further orders and shall inform the learned trial Court and

Ketugram Police Station his current local address where he shall be residing while on bail.

7. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this court.
8. The application for bail being CRM (DB) 3771 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)