

19.08.2026
Court No.35.
D/L.50.
Rakib
(Allowed)

CRM (M) 1045 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ratua Police Station case no. 0181 of 2024 dated 07.04.2024 under Sections 302/307/325/447/34 of the Indian Penal Code.

And

In the matter of : Abdul Rahaman @ Abdur Rahaman & Anr.

.....Petitioners.

Mr. Milon Mukherjee, Sr. Adv,
Ms. Tanusree Kar

.....for the Petitioners.

Mr. Gurudas Mitra
Mr. Utsav Dutta

.....for the State.

Mr. Biswajit Tiwari

.....for the De-facto complainant.

Learned senior advocate appearing for the petitioners submit that petitioners have been implicated in connection with the instant case and are in custody for more than two years four months, till date the examination-in-chief of three witnesses have been completed and the prosecution proposes to examine 28 witnesses in order to prove its case.

Learned advocate appearing for the de-facto complainant submits that there is a previous antecedent of the petitioner no.1.

Learned advocate appearing for the State has opposed the prayer for bail, drawn the attention of the Court to the statement of the eye-witnesses which has been recorded under Section 164 of the Code of Criminal Procedure. It has also been submitted that these

petitioners inflicted the vital blow, as a result of which the victim succumbed to death.

I have taken into account genesis of the present case, the nature of the dispute and the overall materials appearing in the Case Diary as well as the progress of the case. Having considered the period of detention of the present petitioners and the time which will be required to take the trial to its logical conclusion, without entering into the merits of the case, I am of the view that petitioners be released on bail. Accordingly, prayer for bail of the petitioners is **allowed.**

Accordingly, the petitioners, namely, **Abdul Rahaman @ Abdur Rahaman** and **Kabatulla @ Md. Kabatulla** shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) each, with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Chanchal, Malda.

If on bail, the petitioners shall be physically present on each and every date before the learned Trial Court and shall not leave the jurisdiction of district of Malda without prior permission of the learned Trial Court.

Additionally, petitioners shall stay outside the jurisdiction of Ratua Police Station till the examination of vulnerable witnesses are completed by the trial Court.

Thus, CRM (M) No. 1045 of 2026 is **allowed.**

Memo of evidence submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)