

07.06.2023.
07.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 284 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domkal P. S. Case No.323 of 2021 dated 08.06.2021 under Sections 448/325/326/307/354/34 of the Indian Penal Code and added Section 302 of the Indian Penal Code.

In the matter of : Muklesur Rahaman @ Milon.
.... Petitioner.

Mr. S. Das Mahapatra,
Ms. Rabia Khatoon,
Ms. Soma Mal
Ms. June Modak.

...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.,
Ms. Trina Mitra.

...for the State.

Mr. Somnath Adhikary.
...for the de-facto complainant.

Petitioner is in custody for 366 days. Co-accused are on bail. Only official witnesses are to be examined.

Learned Advocate for the State opposes the bail prayer.

Learned Advocate for the de-facto complainant also opposes the bail prayer.

We have considered the materials on record. Co-accused are on bail. All vulnerable witnesses have been examined. Only official witnesses are left. Possibility of tampering with the official witnesses is bleak. There is no chance of his abscondence.

In view of the aforesaid circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Muklesur Rahaman @ Milon shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Murshidabad at Berhampore subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)