

D/L3
24.01.2023
Bpg.

C.R.M. (SB) 11 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Arambagh Police Station Case No.278 of 2022 dated 27.09.2022 under Sections 325/308/354(B)/379/506/ 34 of the Indian Penal Code, 1860;

Nurul Huda Khan
Versus
The State of West Bengal

Mr. Niladri Sekhar Ghosh,
Mr. Sourov Mondal.
...for the petitioner.

Mr. Joydeep Roy,
Ms. Sujata Das.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner has been arrested in the instant case because of rivalry. Additionally, it has been submitted that the police authorities have purposely incorporated the sections of grievous nature to bolster up the case.

Ms. Das, learned advocate appearing for the State opposes the prayer for bail and produces the case diary.

The petitioner is in custody for more than 20 days and the nature of the injuries complained of as is reflected in the injury report are without any external injury as opined by the doctors. Having regard to the same, I am of the opinion that further detention of the petitioner is unwarranted. As such, the prayer for bail of the petitioner is allowed.

Accordingly, the petitioner, namely, Nurul Huda Khan,

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 Additional Chief Judicial Magistrate, Arambagh, Hooghly.

If on bail, the petitioner shall attend Arambagh Police Station once in a week until further orders of the court. Any change in address of the petitioner must be informed to the Officer-in-Charge/Inspector-in-Charge, Arambagh Police Station as well as the learned ACJM, Arambagh. Any deviation of the conditions so imposed will entitle the learned ACJM, Arambagh to cancel the bail of the petitioner without further reference to this Court.

Accordingly, CRM (SB) 11 of 2023 is allowed.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)