

03.07.2023.
38.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2343 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Narkeldanga P. S. Case No.164 of 2022 dated 05.05.2022 under Sections 364A/386/34 of the Indian Penal Code.

In the matter of : Md. Khurram Nayeem.

.... Petitioner.

Mr. Souvik Mitter,
Mr. Siraj Munir.

...for the Petitioner.

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

...for the State.

Mr. Ayan Bhattacharjee,
Mr. Daanish Haque,
Mr. Abdul Zahid.

...for the de-facto complainant.

Petitioner submits that the principal witness had turned hostile and did not support the prosecution case. Accordingly, he renews his bail prayer.

Learned Advocate for the State produces the case diary.

Learned Advocate for the de-facto complainant does not oppose the bail prayer.

We have considered the materials on record. Principal witness has not supported the prosecution case. In this backdrop, further detention of the petitioner is not necessary.

Hence, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Md. Khurram Nayeem 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

Additional Chief Judicial Magistrate, Sealdah, South 24-Paraganas 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.)