

12.09.2023
tkm/ct 28
sl no. 52

C.R.M. (DB) 3544 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Islampur P.S case no. 276 of 2023 dated 10.7.2023 under sections 341/325/326/307/34 IPC and sections 25/27 of the Arms Act
and

Allowed

In Re : Rakib Sk @ Abdul Rakib ... petitioner

Mr. N S Ghosh
Mr. Tapadipta Gupta
Mr. Sourav Mondal
Ms. Labai Sikdar

..... for the petitioner

Mr. N Ahmed
Ms. Amita Gaur

..... for the State

1. Petitioner submits he is not the principal assailant. He is in custody for 47 days. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner is not the person who fired at the victim. Keeping in mind the extent of complicity of the petitioner in the crime, we are inclined to grant bail to him.
4. Accordingly, the petitioner 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 ACJM, Lalbagh, Murshidabad on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

6. The application being CRM (DB) 3544 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)