

24.01.2024.
39.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 205 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar P.S. Case No.347 of 2021 dated 16.08.2021 under Sections 341/325/306/307/302/120(B)/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and Sections 3/4 of the E. S. Act.

In the matter of : **Selim Sk. @ Chottu.**

.... Petitioner.

Mr. Arnab Chatterjee,
Mr. Jissan Iqbal Hossain,
Ms. Dhanasree Biswas,
Ms. Poulami Bose,
Ms. Chandrima Debnath.

...for the Petitioner.

Mr. Binay Panda,
Ms. Kumkum Mitra.

...for the State.

1. Petitioner is in custody for more than two years and five months. He submits the prosecution witnesses have not attributed any overt act to him. Under similar circumstances, co-accused viz., Muktar Hossin @ Sekh has been enlarged on bail. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer.

3. We have considered the materials on record. None of the prosecution witnesses have attributed overt act to the petitioner. He stands on the same footing with co-accused viz., Muktar Hossin @ Sekh who has been enlarged on bail.

4. Hence, we are inclined to extend the same privilege to the petitioner also.

5. Accordingly, the petitioner viz., **Selim Sk. @ Chottu** 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, Lalbagh, Murshidabad 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 and on further condition petitioner while on bail shall meet the Officer-in-charge, Raninagar Police Station once in a week until further orders.

6. In the event 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.

7. This application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)