

25.04.2024.
29.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1311 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chanchal P.S. Case No.487 of 2022 dated 14.05.2022 under Sections 341/323/325/302/506 and 34 of the Indian Penal Code.

In the matter of : **Babul Ali @ Babul Hossain @ Bablu Ali & Ors.**

.... Petitioners.

Mr. Soupal Chatterjee,
Mr. Prabir Kr. Das.

...for the Petitioners.

Mrs. Amita Gaur,
Mr. Bikram Mitra.

...for the State.

1. Petitioners submit vital witnesses have turned hostile.

They renew their bail prayer.

2. Learned Advocate for the State produces the Case Diary.

3. We have considered the materials on record. Vital witnesses have turned hostile.

4. In view of the aforesaid development, we are of the opinion no worthwhile purpose would be served in continuing the detention of the petitioners.

5. Hence, we are inclined to grant bail to the petitioners.

6. Accordingly, the petitioners viz., **1) Babul Ali @ Babul Hossain @ Bablu Ali, 2) Md. Sajahan, 3) Eshahaque @ Esahaque, 4) Sish Mahammad @ Mohammad and 5) Hefajuddin** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned

Additional Chief Judicial Magistrate, Chanchal, Malda subject to condition that they 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.

7. In the event the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)