

10.06.2024
Item no. 24.
Court No.28.
AB
(Allowed)

CRM (DB) 1530 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Kaliganj Police Station Case No.13 of 2024 Dated 3.1.2024 under Sections 448/325 326/307/34 of the Indian Penal Code

And

**In the matter of : Fazlur Rahaman Sekh @ Fazlur Rahaman
@ Fazlur Sk. & Anr.**

.....Petitioners.

Mr. Sumanta Das,
Ms. Atreyee Halderfor the Petitioners.

Mr. Rana Mukherjee, Id. APP,
Ms. Sana Naazfor the State.

The charge is of causing grievous bodily harm and attempted murder.

The petitioners say that there was a free fight between the members of two neighbouring families. In the process, some of the members got hurt. There was nothing preplanned. It was in the heat of the moment.

Mr. Mukherjee, learned Additional Public Prosecutor produces the case diary and draws our attention to the material therein. We have seen the statements of witnesses recorded. We have considered the medical report.

We are told that charge sheet has been submitted upon completion of investigation.

Upon an overall assessment of the material on record and the nature and gravity of the alleged offence and also

because we are of the view that no further detention of the petitioners in custody is necessary, we are inclined to allow the present application for bail, but on stringent conditions.

Accordingly, we direct that the petitioners, namely Fazlur Rahaman Sekh @ Fajlur Rahaman @ Fazlur Sk. And Chattar Sk. @ Satter Sk. 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 Chief Judicial Magistrate, Nadia at Krishnagar, and on further conditions that they shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

The petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

