

12.06.2024
Item no. 17.
Court No.28.
AB
(Allowed)

CRM (DB) 1690 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Dankuni Police Station Case No.60 of 2023 Dated 28.2.2023 under Sections 341/323/325/326/307/333/504/506/34 of the Indian Penal Code

And

In the matter of : Sk. Jamal @ Jamaluddin

.....Petitioner.

Mr. Neil Basu,
Mr. Sankha Biswas

.....for the Petitioner.

Ms. Sreyashi Biswas,
Ms. Atulya Sinha

.....for the State.

The petitioner is one of the nine accused persons. The charge is primarily of attempt to murder and causing grievous bodily harm.

The petitioner says that he is in custody for 42 days. He has no role to play in the alleged incident. Investigation is complete. Charge sheet has been submitted. There is no further reason for detaining him in custody.

Learned Advocate for the State draws our attention to the injury reports. She says that the injuries are life threatening. The prayer of the petitioner should be declined.

We have considered the material on record. Whether the injuries are life threatening or not may be assessed during trial. Keeping in mind that investigation is complete and charge sheet

has been submitted and also that a co-accused namely Sk. Sabir has been granted bail by a Coordinate Bench by an order dated April 18, 2024 in CRM (DB) 1179 of 2024, who seems to be standing on the same footing with the present petitioner, we are inclined to allow this application.

Accordingly, we direct that the petitioner, namely Sk. Jamal @ Jamaluddin 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, Sreerampore, and on further conditions that he 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 petitioner 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 petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's 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.)

