

11.09.2024
Ct. No. 06
SL No. 65
S.De

C.R.M. (DB) 2770 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 in connection with **Park Street P.S. Case No. 44 dated March 7, 2024** under **Sections 114/323/341** of the Indian Penal Code.

And

In the matter of: **Tariq Ahmed.**

Mr. Ayan Bhattacharyya,
Ms. Rita Das, ...for the Petitioner.

Mr. Iqbal Kabir,
Ms. Payel Ghosh,for the State.

1. Petitioner is in custody for 183 days. He submits there was a scuffle between the parties and he had no intention to commit murder. Co-accused is on bail.
2. Learned lawyer for the State opposes the bail prayer and submits petitioner had pushed a septuagenarian who died.
3. We have considered the materials on record. It is alleged in course of scuffle between landlord and tenant, petitioner had pushed a septuagenarian who fell down and became seriously injured and died. It is to be assessed in light of attending circumstances whether petitioner intends to murder the victim.
4. In view of the facts and circumstances of the case, period of detention suffered by the petitioner and as there is no chance of abscondence, we are inclined to enlarge the petitioner on bail.
5. Accordingly, we direct the petitioner viz. **Tariq Ahmed** 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 Chief Judge, City Sessions Court, Calcutta, subject to the condition that the petitioner shall appear

before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

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 without any further reference to this Court.

7. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)