

06.12.2024
Item no. 35.
Court No.29.
AB
(Allowed)

CRM (DB) 3113 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baishnabnagar Police Station Case No.38 of 2024 Dated 11.01.2024 under Sections 395/397/412 of the Indian Penal Code

And

**In the matter of : Najimul Hoque @ Najmul Hoque
@ Deru @ Tera @ Teru & Others**

.....Petitioners.

Mr. Tapodip Gupta
Mr. Suman Bhanjafor the Petitioners.

Mr. Subhamoy Bhattacharya
Mr. S. S. Sahafor the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioners has submitted that the petitioners are standing on the same footing as the other accused persons, who have been granted bail by this Court as well as learned Trial Court.
2. Learned Counsel for the State, while opposing the prayer for bail, does not dispute that the present petitioners are similarly circumstanced as the other accused persons, who have been granted bail.
3. We have considered the materials on record. From the order dated 12.09.2024, it appears that the present petitioners are similarly circumstanced as the other accused person, and, accordingly, we are inclined to allow the petitioners' prayer for bail.

4. Accordingly, we direct that the petitioners, namely **Najimul Hoque @ Najmul Hoque @ Deru @ Tera @ Teru, Rasidul Sk. @ Fullu Sk. and Jiaul 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, Malda, 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.
5. 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.
6. 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.
7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

