

11.11.2024.
65.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3252 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chapra P.S. Case No.563 of 2024 dated 06.06.2024 under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and charge sheet submitted under Sections 302/120B/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

In the matter of : **Abdul Nowda @ Abdul Gani Nowda.**
.... Petitioner.

Mr. Sourav Mukherjee.
...for the Petitioner.

Mr. Rana Mukherjee, ld. A.P.P.,
Ms. Baishakhi Chatterjee.
...for the State.

1. Petitioner submits he is not the assailant. He is in custody for five months. Co-accused viz., Najim Sk is on bail. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits one Nur Mohammad contacted Abdul Nowda who had hired killers to murder the victim.

3. We have considered the materials on record. Call detail records (for short CDRs) show telephonic conversations between petitioner and Nur Mohammad. Witness deposed Tubai Ghosh and Ujjal Mondal are the principal assailants. There is no material to connect the petitioner with the assailants.

4. In view of the aforesaid materials on record and extent of complicity of the petitioner in the crime, we are inclined to enlarge the petitioner on bail.

5. Accordingly, the petitioner viz., **Abdul Nowda @ Abdul Gani Nowda** 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 Judicial Magistrate, Nadia at Krishnanagar subject to condition that he 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.

6. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)