

October 7, 2024
1 (Suppl. List) ARDR
Allowed

CRM(SB) 135 of 2024

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Singore** Police Station Case No. 398 of 2024 dated 25/08/2024 under Sections 318(4)/316(2)/319(2)/303(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : Sk. Muzammil Haque @ Sk. Muzammil Haque @ Sk. Sk. Muzammaul Haque @ Sk. Muzammil Haque @ Majamil Haque

... Petitioner.

Adv. Mrityunjoy Chatterjee,
Adv. Akash Sarkar,

... For the Petitioner.

Adv. Bhivasan Bhattacharya,
Adv. Raju Mondal,

... For the State.

Learned counsel for the petitioner submits that the petitioner is in custody since 7th September, 2024. He has not been named by the defacto complainant and no T.I. Parade has been held to identify him. Further detention of the petitioner is not required.

Learned counsel for the State produces the Case Diary and submits that the statement of the petitioner has led to recovery of cash 17,000/-. Investigation is still in progress.

It appears that the petitioner is not named either in the FIR or in the statement of the defacto complainant under Section 161 of the Code of Criminal Procedure. No T.I. Parade has been held to identify the petitioner as one of the alleged miscreants. Investigation has proceeded to a considerable extent.

Considering the material on record, this Court is of the view that further detention of the petitioner is not required for the purpose of custodial interrogation and the petitioner be released on bail subject to stringent conditions.

Prayer for bail is allowed.

The petitioner, namely, Sk. Muzammail Haque @ Sk. Muzammil Haque @ Sk. Sk. Muzammaul Haque @ Sk. Muzammil Haque @ Majamil Haque, shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Chandernagore, subject to condition that the petitioner shall remain within the jurisdiction of Haripal Police Station until further orders except for meeting the Investigating Officer of the case once a week till submission of charge sheet. The petitioner shall not tamper with evidence or intimidate the witnesses in any manner whatsoever.

The application for bail, being CRM (SB) 135 of 2024, is, thus, disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)