

22.10.2024

Ct.No. 8

Item No. 46

Nandy / Saswata

Allowed

C.R.M. (DB) 3591 of 2024

.1 In the matter of : **Jewel Chowdhury @ Jewel @ Asadujjaman Chowdhury**

...petitioner

Ms. Manaswita Mukherjee

Mr. Ramij Munsi

Ms. Champa Pal

...For the petitioner

Mr. Rana Mukherjee

Ms. Rita Dutta

....For the State

1. This is an application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 (Corresponding Section 439 of the Code of Criminal Procedure, 1973) in connection with Raghunathganj PS case no. 614/2024 dated 08.06.2024 under Sections 399/402 of the Indian Penal Code and Section 25(1)(a) of the Arms Act corresponding to G.R.Case No. 1685 of 2024 presently pending before the Additional Chief Judicial Magistrate, Jangipur, Murshidabad.
2. Learned counsel appearing for the petitioner submits as follows. The petitioner has been implicated in the instant case on the basis of the statement of the co accused. His application for anticipatory bail was turned down by this

Court. After that he surrendered before the Learned Trial Court and is now in custody for 44 days. Three other co accused persons are on bail. The petitioner stands on a better footing than some of the other accused persons who were granted bail. As there has been no recovery made from the petitioner and he has been implicated only on the basis of the statement of the co accused, the bail of the petitioner ought to be allowed.

3. Learned counsel appearing for the State relies on the case diary and opposes the prayer for bail. He submits that some of the witnesses had stated that the petitioner is the master mind in this case.
4. In view of the period of custody already suffered by the petitioner and considering the nature of allegations levelled against him, we are inclined to grant bail to the petitioner.
5. Therefore, the accused/petitioner namely, **Jewel Chowdhury @ Jwel @ Asadujjaman Chowdhury** be released on bail upon furnishing a 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 Additional Chief Judicial Magistrate, Jangipur, Murshidabad, subject to conditions that during trial the petitioner shall appear before the trial Court on

every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event the petitioner fails to appear before the learned Trial Court without justifiable cause, the Trial Court shall be at liberty to cancel his bail automatically without reference to this Court.
7. The application for bail is, thus, allowed.
8. Criminal Section is directed to provide certified copy of this order, if applied for, to the parties upon completion of requisite formalities.

(Jay Sengupta, J.)

(Biswaroop Chowdhury, J.)