

12.12.2024  
Sr. No. 33  
Ct. No. 28.  
AB  
(Allowed)

**C.R.M. (DB) 3792 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 Thanarpara Police Station Case No.223 of 2022 Dated 02.11.2022 under Sections 302/120B/34 of the Indian Penal Code

In the matter of : **Sukur Halsana @ Shukur Halsana**

**....Petitioner.**

Mr. Sandip Chakraborty,  
Mr. Amanul Islam,  
Mr. Sourav Mukherjee,  
Mr. Kaustav Das                               .....For the Petitioner.

Mr. Rana Mukherjee, ld. APP  
Md. Kutubuddin                               .....For the State.

1. Heard learned Advocates for the parties.
2. Petitioner is in custody for more than five months. He submits that he has been implicated out of mere suspicion. He prays for bail.
3. Learned lawyer for the State opposes the prayer for bail. He contends that the petitioner is the hired killer. One Sahadul approached the petitioner and absconding accused Saidul Khan to commit the murder. Victim was strangled to death.
4. We have considered the materials on record. Sahadul Khan's daughter was married to the nephew of the deceased. She committed suicide at the matrimonial home. It is alleged out of grudge Sahadul contacted the petitioner and one Saidul Khan to commit murder.

Deceased was strangled to death. Apart from the statement of co-accused Sahadul before Police, no other incriminating material has been collected to implicate the petitioner in the murder.

5. In view of the aforesaid scanty materials on record implicating the petitioner and as investigation is complete and petitioner is in custody for over five months, we are inclined to enlarge him on bail.
6. Accordingly, the petitioner, namely, **Sukur Halsana @ Shukur Halsana** 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 Additional Chief Judicial Magistrate, Tehatta at Nadia, 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 or commit similar offences in future.
7. 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 in accordance with law without further reference to this Court.
8. This application for bail is, thus, disposed of.

**(Apurba Sinha Ray, J.)**

**(Joymalya Bagchi, J.)**

