

12.12.2024
Sr. No. 37
Ct. No. 28.
AB
(Allowed)

C.R.M. (DB) 3915 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 Nakashipara Police Station Case No.720 of 2023 Dated 30.08.2023 under Sections 147/148/149 326/307/302/120B of the Indian Penal Code read with Sections 25/27/35 of the Arms Act

In the matter of : **Haider Sk. @ Haider Ali Sk.**

....Petitioner.

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

Mr. Partha Pratim Das,
Mr. Debanik Das For the State.

1. Heard learned Advocates for the parties.
2. Petitioner is in custody for 11 months. Co-accused are on bail. He prays for bail.
3. Learned lawyer for the State opposes the prayer for bail.
4. We have considered the materials on record. The victim had suffered death due to gunshot injury. During investigation, firearm was recovered from the petitioner. However, forensic report shows that the firearm did not match with the bullet head recovered from the body. There is also no direct evidence showing that petitioner had fired at the victim.
5. In such circumstances, we are inclined to enlarge the petitioner on bail.

6. Accordingly, the petitioner, namely, **Haider Sk. @ Haider Ali Sk.** 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 Krishnagar, 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 and on further condition that the petitioner 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.
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.)