

07.04.2025

Item No.37

Ct.No.34

rc.

Allowed

C.R.M. (DB) 426 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dholahat Police Station Case No. 137 of 2016 dated 24.03.2016 under Sections 324/326/307/302/120B/34 of the Indian Penal Code read with Section 25/27 of the Arms Act.

And

In Re : **Sajahan Khan @ Kha**

... Petitioner.

Mr. Parthapratim Das
Mr. Supriyo Shyamal
Mr. Monijit Chakraborti
Ms. Yogita Jaiswal

... for the Petitioner.

Mr. Ranbir Roy Chowdhury
Ms. Suruchi Saha

... For the State.

Heard learned counsels for the parties.

The petitioner seeks parity with other co-accused standing on a same footing who have been granted bail earlier. The petitioner is in custody for more than two years.

Learned counsels for the State and the de facto complainant submit that the petitioner was absconding for a protracted period of time which caused delay in trial of the case.

It appears from the record that the petitioner is similarly circumstanced with the other co-accused who were granted bail earlier.

Considering the material on record as well as period of detention of the petitioner, prayer for bail is allowed.

The petitioner, **Sajahan Khan @ Kha**, 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, Kakdwip, South 24 Parganas subject to condition that the petitioner shall not enter the jurisdiction of Dholahat Police Station and shall furnish the address where he shall henceforth reside before the Investigating Officer, the learned Trial Court and the Officer-in-Charge of the police station under whose jurisdiction he shall presently reside. The petitioner shall appear before the learned trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions stated above, the learned trial court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)