

C.R.M. (DB) 584 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Liluah P.S. Case No. 176 of 2024 dated 07.04.2024 under Sections 326/307/384/34 of IPC and Section 25(i)(a)/27 of the Arms Act.

And

In Re : **Rakesh Jha**

... Petitioner.

Sk. Toslim Ali

Ms. Rituparna Bhadra ... for the Petitioner.

Mr. Partha Pratim Das

Ms. Srilekha Chattopadhyay ... For the State.

Learned counsel for the petitioner submits that the petitioner is in custody for more than a year. Vulnerable witnesses including the victim and de facto complainant have been examined and they have not implicated the petitioner as one of the assailants.

The petitioner seeks bail on such score.

Opposing the prayer and producing the case diary, learned counsel for the State submits that releasing the petitioner on bail at this stage shall hamper the peace and tranquility of the locale. Three live ammunitions were recovered from the possession of the petitioner and PW 2 has stated that the petitioner tried to extort money from the victim on 4th April, 2024.

The petitioner is in custody for more than a year. The victim and the de facto complainant have been examined. PW 2 who is the victim has stated that the petitioner along

with two others approached him on 4th April, 2024 for extortion of money. However, he has stated in his cross-examination that no compliant was lodged by him with regard to the said incident.

The petitioner was not present at the spot when the gun shot injury was inflicted upon the victim.

Upon consideration of the material available in the case diary, period of detention of the petitioner as well as the fact that vulnerable witnesses have already been examined, this Court is of the view that further detention of the petitioner is not required and he may be released on bail on stringent conditions.

The prayer for bail is allowed.

The petitioner, **Rakesh Jha** 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 Chief Judicial Magistrate, Howrah subject to condition that he shall not enter the district of Howrah except for attending the Court proceedings and shall furnish the address where he shall henceforth reside before the learned trial Court, investigating officer and the Officer in charge of the concerned P.S. The petitioner shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court 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 as stated above without justifiable cause, the

learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail, being CRM (DB) 584 of 2025, 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.)