

22.04.2025

Item No.24

Ct.No.34

rc.

Allowed

C.R.M. (DB) 693 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 Raghunathganj Police Station Case No. 1549 of 2024 dated 30.11.2024 under Sections 329(4)/117(2)/118(2)/109 of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Abdul Latib @ Mithun**

... Petitioner

Mr. Milon Mukherjee

Mr. Usof Ali Dewan

Mr. Asif Dewan

... for the Petitioner

Mr. Zareen Nasima Khan

Mr. Tirthankar Dhali

... For the State

Mr. Imtiaz Ahmed

Mrs. Ghazala Firdaus

Mr. Mofakkerul Islam

Mr. Sk. Saidullah

Mr. Mithun Mondal

Mr. Md. Arsalan

...for the defacto complainant

Heard learned counsels for the parties.

The petitioner is in custody for about seven months and prays for bail.

Learned counsel for the petitioner submits that during hot altercation between the petitioner and the victim for a due of Rs.15000/-, the victim was pushed by the petitioner and fell and sustained injuries. He subsequently succumbed to the injuries. Charge sheet is submitted. His further detention is not required.

Learned counsels for the State and the defacto complainant oppose the prayer for bail.

It appears that the witnesses unanimously stated that during hot altercation between the petitioner and the victim, the petitioner pushed the victim as a result of which the victim fell on the ground and sustained severe injuries. He was hospitalized and succumbed to his injuries later on. The incident prima facie appears to be an outcome of an altercation between the parties.

Considering the material on record as well as period of detention of the petitioner and also since charge sheet has been submitted, this Court is of the view that further detention of the petitioner is not required and he may be granted bail.

Accordingly prayer for bail of the petitioner is allowed.

The petitioner **Abdul Latib @ Mithun**, 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, Jangipur, Murshidabad subject to condition that the petitioner shall appear before the learned trial Court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date 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 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.)