

15.05.2025

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jb.
jdt.

C.R.M. (DB) 702 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Gazole Police Station Case No. 75/2024 dated 02.02.2024 under Section 394 of the Indian Penal Code and adding Section 302 of the Indian Penal Code and Sections 25(1B)(a)/27/35 of the Arms Act.

And

In Re : Jahidul Islam @ Mostafa @ Jahedul Islam

Mr. Tapodip Gupta

... For the Petitioner.

Mr. Soumik Ganguly

Mr. Dipankar Mahata

... For the State.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that despite the order dated 17th January, 2025 passed by the learned Sessions Judge, Malda, interim bail of the co-accused Sajiruddin Sarkar has been confirmed by this Court.

The order dated 17th January, 2025 states that the petitioner was seen nudging his co-accused namely Sajiruddin Sarkar to use threatening word against P.W. 2, Sanju Ghosh who was sitting in close vicinity to the accused persons.

Considering the conduct of the petitioner in threatening the witnesses, this Court is of the view that possibility of intimidating the witnesses and tampering with evidence in the event the petitioner is released on bail at this stage cannot be ruled out.

Accordingly, the prayer for bail is rejected at this stage.

The application for bail is 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.)