

24.04.2025

Item No.20

Ct.No.34

rc.

Allowed

C.R.M. (DB) 777 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 Mahishadal Police Station Case No. 418 of 2024 dated 23.09.2024 under Sections 115(2)/118(1)/309(4)/309(6)/109 of the Bharatiya Nyaya Sanhita.

And

In Re : **Sk. Maidul**

... Petitioner

Mr. Arnab Chatterjee

Ms. Paulami Bose

... for the Petitioner

Mr. Saryati Dutta

Mr. Tirupati Mukherjee

... For the State

Memo of evidence filed by the State is taken on record.

Heard learned counsels for the parties.

The petitioner seeks parity with co-accused Sk. Samsuddin who was granted bail earlier. The petitioner is in custody for more than seven months.

Learned counsel for the State points out that though one of the co-accused was granted bail, the other co-accused Sk. Musaraf has been denied bail on the ground that he is not similarly circumstanced with Sk. Samsuddin, several incriminating material has been recovered from his possession and he has several criminal antecedents. Learned counsel submits that the petitioner also has criminal antecedents.

It appears that three accused including the petitioner have been alleged of jointly committing the offence. Recovery has been made from all of them. Charge sheet has been submitted and charges framed. The petitioner appears to be similarly circumstanced with co-accused Sk. Samsuddin. Considering the material on record as well as extent of complicity of the petitioner in the alleged offence, 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 **Sk. Maidul**, 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, Haldia, Purba Medinipur subject to condition that the petitioner shall remain within the jurisdiction of the Mahishadal Police Station and shall appear before the learned trial Court on every date of hearing. He 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 mentioned 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 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.)