

May 13, 2025

16 ARDR

(Allowed)

CRM (DB) 951 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Berhampore** Police Station Case No. **51** of **2024** dated **01/7/2024** under Sections **302/34** of the Indian Penal Code and under Sections **25/27** of the Arms Act.

And

In Re : Rajesh @ Bakkash Sk @ Bakkar Sk.

... Petitioner.

Adv. Arnab Chatterjee,
Adv. Poulami Bose,

... for the petitioner.

Adv. Saryati Datta,
Adv. Tirupati Mukherjee,

... for the State.

The petitioner is in custody for more than a year and prays for bail.

Learned counsel for the petitioner submits that the petitioner has not been placed in T.I. Parade. Only one witness who has referred to the petitioner has seen him to meet the victim on the day prior to the murder of the victim. He has no nexus with the alleged offence. He prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record. The petitioner appears to have met the victim on the day prior to his murder. Two of the co-accused are on bail. The petitioner has not been identified in the T.I. Parade. 7 out of 39 witnesses have been examined. The trial will take some time to conclude. Though there are criminal antecedents to the credit of the petitioner as pointed out by the learned counsel for the State. The petitioner is on bail in all the cases.

Considering the material on record and 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 on stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioner namely Rajesh @ Bakkash Sk @ Bakkar Sk. 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, Berhampore, Murshidabad, subject to the condition that he shall remain within the jurisdiction of Berhampore Police Station and shall furnish the address where he shall presently reside before the learned trial Court, Investigating officer and the Officer in charge of the concerned police station under whose jurisdiction he shall henceforth reside. He 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 comply with any of the conditions stated above, 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 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.)