

20.05.2025

Item No.39

Ct.No.34

rc.

Allowed

C.R.M. (DB) 1052 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 Manikchak Police Station Case No. 145 of 2019 dated 01.06.2019 under Sections 394/397/364/412/307/34 of the Indian Penal Code and Section 25/27 of the Arms Act.

And

In Re : **(1) Safikul Islam @ Chintu Sk.**
 (2) Rosul Sk. @ Rasul Sk.

... Petitioner

Mr. Sabir Ahmed

Mr. Yousuf Ali

Mr. Shraman Sarkar

... for the Petitioner

Mr. Sanjoy Bardhan

Mr. Rahul Ganguly

... For the State

Report submitted by the State is taken on record.

The petitioners are in custody for more than five years and seeks parity with the co-accused who have been granted bail by this Court earlier.

Learned counsel for the State does not oppose the said fact. Learned counsel submits that the arms expert's report as well as sanction of the competent authority has been obtained on March 06, 2025. The case is at the argument stage.

In view of the fact that the petitioners are similarly circumstanced with the co-accused who are on bail they are entitled to the same benefit.

Accordingly, prayer for bail of the petitioners is allowed.

The petitioners **(1) Safikul Islam @ Chintu Sk.** and **(2) Rosul Sk. @ Rasul Sk.** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Malda subject to condition that they shall remain within the jurisdiction of the Manickchak Police Station and shall furnish the address where they shall presently reside before the learned trial Court, Investigating Officer and the Officer-in-Charge of the concerned police station under whose jurisdiction they shall henceforth reside. They shall appear before the learned trial Court on every date of hearing. They shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to comply with any of the conditions as mentioned above without justifiable cause, the learned trial Court shall be at liberty to cancel their 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.)

