

17
12.06.2025
Ct.No.34
b.das
Allowed

C.R.M. (DB) 1139 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Ketugram P.S. Case No. 216 of 2024 dated 13.05.2024 under Sections 341/307/302/506/34 of the Indian Penal Code and Section 3 /4 of E.S. Act read with Section 25/27 of Arms Act.

And

In Re : **Mithun Sk. @ Mithun Shaikh & Anr.** ... Petitioners.

Ms. Minoti Gomes

Mr. Debojyoti De ... for the Petitioners.

Mr. Madhusudan Sur

Mr. Subham Bhakat ... for the State.

The petitioners are in custody for more than a year and pray for bail.

Heard learned counsels for the parties.

Learned counsel for the petitioners submits that two of the co accused have been granted bail earlier. Besides recovery of gun powder from the petitioners there is no other evidence connecting them to the alleged offence.

Learned counsel for the State opposes the payer.

I have considered the material on record. The petitioners appear to be members of the gang which attacked the victim and assaulted him thereby resulting in his death. No specific overt act has been attributed to the petitioners in the alleged offence though they have been named as part of the gang by one of the injured witnesses in his statement under Section 164 of the Code of Criminal Procedure. Charge sheet has been submitted. Trial is in progress.

Considering the material on record as well as extent of complicity of the petitioners in the alleged offence, this Court is of the view that further detention of the petitioners is not required they may be granted bail on stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioners **Mithun Sk. @ Mithun Shaikh & Kadar Sekh @ Kadar 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 Additional Chief Judicial Magistrate, Katwa, Purba Bardhaman subject to condition that they shall remain outside the jurisdiction of Ketugram P.S. and shall furnish the address where they shall henceforth reside before the learned trial Court, investigating officer and the Officer in charge of the concerned P.S. under whose jurisdiction they shall presently reside. They shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and 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 stated 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.

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.)