

23.04.2025

44

jb.

jdt.

Allowed

C.R.M. (M) 131 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya of the Bharatia Nagarik Suraksha Sanhita in connection with Jagatballavpur Police Station Case No. 201 of 2022 dated 10.09.2022 under Sections 302/34 of the Indian Penal Code.

And

In Re : Samjad Sk.

... Petitioner.

Taslim Ali

Ms. Rituparna Bhadra

... For the Petitioner.

Mr. Madhusudan Sur

Ms. Sreeparna Das

... For the State.

The petitioner is in custody for a year after he surrendered before the learned trial Court. Allegation against the petitioner is that he pushed the victim by his neck. The victim subsequently expired.

Learned counsel for the State opposes the prayer.

Considering the material available in the case diary, extent of complicity of the petitioner as well as the fact that trial is yet to commence, this Court is of the view that further detention of the petitioner is not required and he may be granted bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Samjad Sk. shall 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, Howrah subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned

trial Court and he shall not tamper with evidence or intimidate witnesses in any manner whatsoever. The petitioner shall remain within the district of Howrah and shall furnish his present address to the learned trial Court, the investigating officer and the Inspector-in-Charge of the concerned police station under whose jurisdiction he shall presently reside.

In the event the petitioner fails to comply with any of the conditions stated above without any 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 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.)