

21.05.2025

Item No.26

Ct.No.34

rc.

Allowed

C.R.M. (M) 385 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 Kaliganj Police Station Case No. 352 of 2021 dated 03.07.2021.

And

In Re : **(1) Sufal Rajowar @ Sukla**
 (2) Madhab Rajowar

... Petitioners

Mr. Kusol Kumar Mukherjee
Mr. Narottom Acharyya

... for the Petitioners

Mr. Subhamoy Bhattacharjee
Ms. Nahid Ahmed

... For the State

The petitioners are in custody for about four years and pray for bail.

Learned counsel for the petitioners submits that the principal accused has been granted bail by this Court. There is slow progress in trial. They pray for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record. The principal assailant has been granted bail by this Court. Two out of twenty-one witnesses have been examined so far. Possibility of completion of trial in near future is bleak. The petitioners are similarly circumstanced with the co-accused on bail in so far as their period of detention is also concerned.

In view of the above, this Court is inclined to hold that the petitioners **(1) Sufal Rajowar @ Sukla** and **(2) Madhab Rajowar** 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, Krishnanagar, Nadia subject to condition that they shall not enter the jurisdiction of Kaliganj 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.)