

23.07.2025

Item No.43

Ct.No.34

rc.

Allowed

C.R.M. (M) 871 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 Ratua Police Station Case No. 33 of 2025 dated 16.01.2025.

And

In Re : **Rahul @ Jamiul Islam**

... Petitioner

Mr. Amit Ranjan Pati

Mr. S. Ghosh

Mr. Swastika Chowdhury

Mr. Khadijatul Kubra

Ms. Hareem Fatema

Ms. M. Chattopadhyay

... for the Petitioner

Mr. Prabash Bhattacharyya

Ms. Sima Biswas

... For the State

Heard learned counsels for the parties.

The petitioner is in custody for about 194 days and prays for bail. Charge sheet has been submitted.

Learned counsel for the State opposes the prayer.

I have considered the material on record. There was an altercation between the petitioner, victim and others regarding occupying space in a market place for selling vegetables. The postmortem report of the deceased demonstrates that the single injury found in the person of the deceased was not sufficient enough to cause death. Cause of death has been reserved pending report of FSL examination.

Considering the material on record and the extent of complicity of the petitioner in the alleged offence, this Court is inclined to hold that the petitioner be release on bail.

Accordingly prayer for bail is allowed.

The petitioner **Rahul @ Jamiul Islam**, 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 Additional Chief Judicial Magistrate, Chanchol, Maldah subject to condition that he shall appear before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date without 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, 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.)