

25.07.2025

Item No.39

Ct.No.34

rc.

Allowed

C.R.M. (M) 916 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 Gazole Police Station Case No. 75 of 2024 dated 02.02.2024.

And

In Re : **Jahidul Islam @ Mostafa @ Jahedul Islam**
... Petitioner

Mr. Avinaba Patra
Mr. Agnik Maulik ... for the Petitioner

Mr. Samik Ganguly
Ms. Jonaki Saha ... for the State

Heard learned counsels for the parties.

Bail prayer of the petitioner was turned down by this Court on May 15, 2025 solely on the ground of the conduct of the petitioner. This Court took note of the order passed by the learned trial Court on January 17, 2025 which recorded that the petitioner was seen nudging co-accused Sajiruddin Sarkar to use words of threat against PW-2 Sanju Ghosh who was sitting in close vicinity to the accused persons.

This Court is informed that Sajiruddin Sarkar was initially granted interim bail by this Court on December 17, 2024 which was subsequently confirmed on May 04, 2025. The petitioner appears to be similarly circumstanced with the co-accused who are on bail. Trial is in progress. Nineteen out of twenty seven witnesses have been examined so far.

In view of the above, this Court is inclined to hold that further detention of the petitioner is not required and he may be released on bail.

Accordingly, prayer for bail is allowed.

The petitioner **Jahidul Islam @ Mostafa @ Jahedul 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 Chief Judicial Magistrate, Malda subject to condition that he shall remain within the jurisdiction of Gazole Police Station and shall furnish the address where he shall presently reside before the learned trial Court, Investigating Officer and the Officer in Charge of the concerned police station under whose jurisdiction he shall henceforth reside. 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 adhere to any of the conditions mentioned above 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.)