

Item No.11

Ct.No.34

rc.

Allowed

C.R.M. (M) 1020 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 Lokepur Police Station Case No. 42 of 2024 dated 22.05.2024.

And

In Re : **Sk. Abu Kalam @ Sekh Abu Kalam** ... Petitioner

Mr. Sanjib Kumar Dan ... for the Petitioner

Mrs. Baisali Basu
Mr. Mainak Gupta ... for the State

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner is in custody for seventy days and prays for bail.

Learned counsel for the State refers to the injury reports and discharge certificate of the petitioner and opposes the prayer.

There appears to be a land dispute between the petitioner and the victim's families. Though the victim initially appears to have sustained simple injuries, he was subsequently operated at a private hospital and discharged. Charge sheet has been submitted.

Considering the nature of the offence and period of detention of the petitioner, this Court is of the view that

further detention of the petitioner is not required and he may be released on bail.

Accordingly prayer for bail is allowed.

The petitioner **Sk. Abu Kalam @ Sekh Abu Kalam**, 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 Judicial Magistrate, Dubrajpur, Birbhum 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.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)