

28
16.09.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 1067 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Goalpokher P.S. Case No. 24 of 2025 dated 15.01.2025 under Sections 221/132/121/118(2)/109/49/61 of the BNS, 2023 and section 25/27 of the Arms Act.

And

In Re : **Habibur Rahaman @ Nana** ... Petitioner.

Mr. Sourav Chatterjee

Mr. Soumya Nag ... for the Petitioner.

Mr. Binay Kr. Panda

Mr. Abhishek Verma ...for the State.

Memo of evidence submitted by the State is taken on record.

Heard learned counsels for the parties.

The petitioner is in custody for more than 200 days and prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record. It is alleged that when one Sajjak Alam, an undertrial prisoner was being taken to the Court from the correctional home he asked the driver to stop the vehicle on the way and fired at two police personnel who sustained injuries. Certain call detail records of the petitioner have been recovered but such records do not prima facie connect the petitioner to the alleged incident. A knife appears to have been recovered from the petitioner but such recovery does not connect the petitioner to the alleged offence. Only gunshot injuries have been found in course of investigation. Charge sheet has been submitted.

Considering the extent of complicity of the petitioner in the alleged offence, this Court is of the view that further detention of the petitioner is not required and he may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely **Habibur Rahaman @ Nana** 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, Islampur, Uttar Dinajpur subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. 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.

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.)