

01.08.2025

Sl. no. 36

Ct. No. 25

P.M.

(Allowed)

C.R.M. (M) 1098 OF 2025

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with S.T. Case No. 62 of 2025 (arising out of Howrah Police Station Case No. 294 of 2024 dated 02.08.2024 under Sections 103(1) of BNS, 2023 vide G.R. Case No. 3837 of 2024.

And

In the matter of : **Md. Raja @ Mura Raja.**

.... Petitioner

Mr. Brajesh Jha,
Ms. Anushka Ghosh

.... For the petitioner

Mr. Subhamoy Bhattacharya,
Mr. Kaustav Banerjee

... for the State

1. Learned counsel for the petitioner submits that co-accused Shahnawaz Hossain @ Chotu has admitted to bail by the Hon'ble Division Bench of this Court in CRM (DB) 4153 of 2024 vide order dated 20th February, 2025.
2. Learned counsel submits that the petitioner is similarly placed with the co-accused who has been admitted to bail.
3. Learned counsel for the State has opposed the bail application.
4. Learned counsel submits that there is a statement under Section 164 Cr.P.C. that Md. Rafi who has seen the petitioner on the place of occurrence.
5. The Hon'ble Division Bench while admitting the co-accused Shahnawaz Hossain @ Chotu on bail noted that

material on record did not suggest that there is any eye witnesses who saw any person pushing the victim to his death. The present petitioner is in custody since more than nine months. The trial may take a long time.

6. In the facts and circumstances of this case Md. Raja @ Mura Raja shall be released on bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Howrah. The petitioner shall appear before the trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

7. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

8. The application for bail being CRM(M) 1098 of 2025 is, thus, disposed of.

9. Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities.

(Dinesh Kumar Sharma, J.)