

21
04.09.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 1211 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Suti P.S. Case No. 85 of 2023 dated 05.03.2023 under Sections 498A/326/302/109/34 of the Indian Penal Code.

And

In Re : **Rabiul Sk @ Rabiul Hoque @ Rabibul Sk. & Anr.**

... Petitioners.

Mr. Shibaji Kr. Das ... for the Petitioners.

Ms. Subhasree Patel
Mr. Kaustav Banerjee ... for the State.

Mr. Tapodip Gupta ...for the de facto complainant.

Heard learned counsels for the parties.

Learned counsel for the petitioners submits that the petitioners are in custody for about 154 days. They are not the principal assailants and not named by the victim in his dying declaration. They pray for bail.

Learned counsels for the State and the de facto complainant oppose the prayer.

I have considered the material on record. The dying declaration of the victim does not name the petitioners as the assailants. The investigating officer has recorded in the charge sheet that it was stated by the victim before the medical officer that Rahamat Sk. and Manirul Sk. killed her. Charge sheet has been submitted.

Considering the material on record, particularly the extent of complicity of the petitioners in the alleged offence,

this Court is of the view that further detention of the petitioners is not required and they may be released on bail.

Accordingly, prayer for bail is allowed.

The petitioners **Rabiul Sk @ Rabiul Hoque @ Rabibul Sk. & Yousuf Sk @ Yousuf Ali** be released on bail upon furnishing bond of Rs.10,000/-(Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad subject to condition that they shall appear before the learned trial Court on every date of hearing and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioners fail to appear before the learned trial Court on any date without justifiable cause, the learned trial Court shall be at liberty to cancel their 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.)