

24.09.2025

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jb.

jdt.

Allowed

C.R.M. (M) 1249 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Panskura Police Station Case No. 344/2020 dated 23.10.2020 under Section 376D of the Indian Penal Code.

And

In Re : Mofijul Khan @ Docomo

Mr. Soumajit Chatterjee

... For the Petitioner.

Mr. Ranabir Roychowdhury

Ms. Jonaki Saha

... For the State

Report submitted by the State is taken on record.

It appears that the defacto complainant has expired in a road accident.

The victim could not be traced.

The petitioner is in custody for 5 years and prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record. The principal accused has been granted bail earlier. The defacto complainant has exonerated the petitioner in his evidence before the learned trial Court.

Considering the material on record and extent of complicity of the petitioner in the alleged offence, prayer for bail is allowed.

The petitioner namely Mofijul Khan @ Docomo shall 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, Tamluk, Purba Medinipur subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing without any 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 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.)