

C.R.M. (M) 1269 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Jalangi P.S. Case No. 403 of 2023 dated 06.12.2023 under Sections 326/302 of the Indian Penal Code.

And

In Re : **Ajijul Malithya @ Ajijur** ... Petitioner.
Ms. Shabana Hasin
Ms. Samima Akter ... for the Petitioner.

Ms. Sukanya Bhattacharyya
Mr. Mujibar Ali Naskar ... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for more than a year and submits that he has been falsely implicated. He prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record. It is a fact that the offending weapon has been recovered at the instance of the petitioner. The case is based on circumstantial evidence. The only eye witness to the incident has been examined in trial and has not supported her statement recorded under Section 164 of the Code of Criminal Procedure. 2 out of 27 witnesses have been examined so far.

Considering the material on record, particularly the extent of complicity of the petitioner in the alleged crime, this Court is of the view that further detention of the petitioner is not required and he may be released on bail subject to stringent conditions.

Accordingly, prayer for bail is allowed.

The petitioner namely **Ajijul Malithya @ Ajijur** 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 Chief Judicial Magistrate, Murshidabad subject to condition that he shall remain outside the jurisdiction of Jalangi P.S. and shall furnish the address where he shall henceforth reside before the learned trial Court, investigating officer and the Officer in charge of the concerned P.S under whose jurisdiction he shall presently reside. The petitioner shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions as stated above 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.)