

11.09.2025

38

jb.

jdt.

Allowed

C.R.M. (M) 1284 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 Lalgola Police Station Case No. 1024 of 2024 dated 12.10.2024 under Sections 115(2)/118(2)/110/3(5) of the Bharatiya Nyaya Sanhita and added Section 103(2) of the Bharatiya Nyaya Sanhita .

And

In Re : Sekandar Ali @ Sikander Sk

Mr. Asim Kr. Chakraborti

... For the Petitioner.

Mr. Aniket Mitra

Mr. Debarshi Brahma

... For the State

The petitioner is in custody for 80 days and prays for bail.

Learned counsel for the State opposes the prayer.

A boy was tied to pole and beaten to death. The petitioner does not appear to be the principal assailant though he was present at the place of occurrence. One of the eye witnesses has stated in his statement recorded under Section 164 of the Code of Criminal Procedure that the petitioner slapped the victim. 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. He may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Sekandar Ali @ Sikander Sk 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, Lalbagh, Murshidabad 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 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.)