

24.09.2025

39

jb.

jdt.

Allowed

C.R.M. (M) 1427 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 Raghunathganj Police Station Case No. 449/2025 dated 9th April, 2025 under Sections 191(2)(3)/190/326/132/121(1)(2)/326(f)/304(2)/109/110 of the Bharatiya Nyaya Sanhita read with Section 4 of PDPP Act and Section 8 of NH Act.

And

In Re : Haider Ali

Mr. Moyukh Mukherjee
Mr. Sobhan Gani
Md. Aqib Badr
Mr. Shakti Shivam
Sehzada Parvez

... For the Petitioner.

Ms. Sukanya Bhattacharya
Mr. S. S. Saha

... For the State

The petitioner is in custody for more than 150 days and prays for bail.

Learned counsel for the petitioner submits that the petitioner was part of the demonstration which was staged against the Wakf Bill. He has no further involvement in the alleged incident.

Learned counsel for the State opposes the prayer.

I have considered the material on record. CC TV footage of the place of occurrence demonstrates presence of the petitioner at the place of occurrence at the relevant time. Besides the same, there is no material on record prima facie implicating the petitioner in the alleged offence. Witnesses have not stated his involvement.

Considering the period of detention of the petitioner as well as extent of complicity in the alleged offence, this Court is inclined

to hold 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 Haider Ali 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, Jangipur, Murshidabad 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.)