

08.12.2025

Court No.35.

M/L. 132.

Kausik

(Allowed)

CRM (M) 1709 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Rajapur Police
Station Case No. 177 of 2024 dated 15.06.2024 under Section
341/323/325/326/302/506/34 of the Indian Penal Code.

And

In the matter of : Ataur Rahaman Molla @ Ataur Rahaman

.....Petitioner.

Mr. Dipanjan Chatterjee

Mr. Asit Nayek

Ms. Rimpa Adhikari

Ms. Kakan Das

.....for the Petitioner.

Mr. Sanjay Banerjee

Mr. Sobhan Gani

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for 448 days and similarly
placed accused persons have already been granted bail.

Learned advocate for the State opposes the prayer for
bail and refers to the relevant statement of the witnesses which
have been relied upon in the charge sheet.

I have taken into account the materials appearing in the
charge sheet. I find that another accused who assaulted with
the brickbat and other accused persons who were instigating
the petitioner and others, have been granted bail.

Petitioner was definitely one of the assailants. However, similarly placed another accused person who assaulted repeatedly with a brickbat has been granted bail.

Having considered the same and the period of detention of the petitioner, I am inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is allowed.

Petitioner, namely, **Ataur Rahaman Molla @ Ataur Rahaman** shall furnish bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand Only) each. One of whom must be local to the satisfaction of Learned ACJM, Uluberia.

If on bail, petitioner shall stay outside the jurisdiction of the sub-division of Uluberia and shall enter the said jurisdiction only for the purposes of attending the Court.

Petitioner shall be physically present on each and every date fixed by the learned Trial Court and shall not tamper with any of the witnesses/evidence of the instant case.

In case there is any violation, the learned Trial Court would be at liberty to cancel the bail without further reference to this Court.

Learned Trial Court is already speedily disposing of the trial case. The same pace be maintained by the learned Trial

Court so that the trial of the case is concluded within a reasonable period of time.

With the aforesaid observations CRM (M) 1709 of 2025 is allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)