

14.11.2025
Court No.35.
D/L. 42.
Rakib
(Allowed)

CRM (M) 1975 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ratua Police Station Case No. 436 of 2023 dated 31.07.2023 under Sections 449/376/302 of the Indian Penal Code.

And

In the matter of : Habib Mostafa @ Md Habib Mostafa

.....Petitioner.

Mr. Sagar Saha
Ms. N. Mukhopadhyay
.....for the Petitioner.
Mr. Madhusudan Sur, APP
Mr. Manaranjan Mahata
.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for one year and six months and till date 10 witnesses have been examined by the prosecution. However, majority of the witnesses are hostile and no convincing evidence till date has surfaced.

Mr. Sur, learned advocate appearing for the State submits that there are materials appearing in the Case Diary.

I have considered the materials in the Case Diary as well as the evidence which has been enclosed along with the bail application. On an assessment of the same and the period of detention, I am inclined to release the petitioner on bail.

The petitioner namely, Habib Mostafa @ Md Habib Mostafa 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 the learned Chief Judicial Magistrate, Malda .

If on bail, the petitioner shall physically be present on each and every date before the learned trial Court. The learned trial Court would, if required, impose additions for ensuring the appearance of the petitioner.

Accordingly, CRM (M) 1975 of 2025 is allowed.

Case Diary be returned to the learned advocate appearing for the State.

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.)