

14.02.2025
Item No.60
Court No.26
S.D.
(Bail granted)

CRM (DB) 3858 of 2024

In re: An Application for **Bail** under Section 439 of the Code of Criminal Procedure, 1973/section **483** of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raiganj Police Station Case No. **1280** of **2023** dated **04.12.2023** under Sections **302/120B/34** of the Indian Penal Code, 1860 read with section **25(i)(a)/27/35** of the Arms Act.

-And-

In the matter of: Md. Soleman @ Soleman Ahammed
... .. Petitioner

Mr. Amit Roy
... .. For the Petitioner

Mr. Debasish Roy, Ld. P.P.
Mr. Arijit Ganguly
Mr. Koushik Kundu
... ..For the State

Mr. Sk. Md. Wasim Akram
Ms. Nargish Parveen
..for the defacto complainant

Liberty is granted to the learned advocate on record of the petitioner to correct the cause title and the body of the petition.

Petitioner is in custody for more than 1 year 02 months. Co-accused was enlarged on bail by the Coordinate Bench by the order dated September 12, 2024 passed in C.R.M. (DB) 2621 of 2024.

Police filed charge sheet.

However, charges are yet to be framed.

Learned advocate appearing for the defacto complainant opposes the prayer for bail on the ground that the person already granted bail is intimidating the defacto complainant. In response to query of the Court as to whether any police complaint or an application for cancellation of bail on such ground was filed or not, the answer is negative.

Learned advocate appearing for State refers to the materials in the case diary.

On the ground of parity with the co-accused who was granted bail by the Coordinate Bench on September 12, 2024 in C.R.M. (DB) 2621 of 2024, we extend the same facility to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a 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, Raiganj, Uttar Dinajpur** subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.

The prayer for bail of the petitioner is **allowed**.

C.R.M.(DB) 3858 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)