

19.02.2025
Item No.41
Court No.26
Allowed
CHC

CRM (DB) 4164 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/483 of the Bharatiya Nagarik Suraksha Sanhita 2023, in connection with **Hariharpara** Police Station Case No. **356 of 2024** dated 10th of June 2024 under Sections **302/120B/34** of the Indian Penal Code, 1860 and under Sections **25/27** of the Arms Act.

-And-

In the matter of : Julfikar Ali @ Butto
@ Julfikkar Ali

... .. Petitioner

Mr. Arnab Chatterjee, Advocate
Ms. Dhanasree Biswas, Advocate
Ms. Poulami Bose, Advocate
... .. For the Petitioner

Mr. Saryati Dutta, Advocate
Mr. Debarshi Brahma, Advocate
... ..For the State

1. Petitioner is in custody for 120 days.
2. Police filed charge sheet.
3. Petitioner was not named in the First Information Report.
4. Statements recorded under Section 164 of the Criminal Procedure Code do not disclose the name of the petitioner as involved in the crime of murder. Two of the persons who recorded statements under Section 164 of the Criminal Procedure Code subsequently recorded statements under Section 161 thereof trying to implicate the petitioner as master mind. Possibility of false implication exists in view of the fact that the petitioner is an ex Pradhan of a Gram

Panchayat and subscribe to political ideology which is different to the ruling party.

5. In such circumstances, we are inclined to grant bail to the petitioner.
6. 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, at Berhampore, Murshidabad**, 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.
7. 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.
8. The prayer for bail of the petitioner is **allowed**.
9. CRM(DB) 4164 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)