

21.02.2025
Item No.46
Court No.26
S.D.
(Bail granted)

CRM (DB) 4379 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 **Narkeldanga** Police Station Case No. **101** dated **02.05.2024** under Sections **302/34** of the Indian Penal Code, 1860 read with Section **103/3(5)** of Bharatiya Nyaya Sanhita, 2023.

-And-

In the matter of : Md. Altaf & Ors.

... .. Petitioner s

Mr. Jaydeep Biswas
Mr. Abhishek Verma
Mr. Atulya Sinha Verma
... For the Petitioners

Ms. Sreyoshi Biswas
Ms. Trina Mitra
... ..For the State

Mr. Anindya Ghosh
Md. Saifullah Khalid
...For the defacto complainant

Petitioners pray for bail.

Learned advocate appearing for the petitioners submits that, no active role is attributed as against any of the petitioners.

State and the defacto complainant are represented.

Learned advocate appearing for the State submits that, there are five accused who are absconding. She draws the attention of the Court to the materials in the Case Diary and submits that, the petitioners are involved as instigators to the murder.

Learned advocate appearing for the defacto complainant submits that since charges stand framed, bail should not be granted.

Although T.I. parade was conducted, the petitioners were not placed thereunder. Role attributed as against the petitioners apparently is one of instigators.

Considering the fact that the police filed charge sheet and considering the fact that no active role in the murder is attributed to any of the petitioners, we grant bail to the petitioners.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the **Learned Additional Chief Judicial Magistrate, Sealdah** subject to condition that the petitioners 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 petitioners fail 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 petitioners is **allowed**.

C.R.M.(DB) 4379 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)