

29.05.2026
Item No. 22
Court No.7
AB

(Allowed)

C.R.M. (M) 1147 of 2026

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nowda Police Station case no.289 of 2021 dated 16.12.2021 under Sections 498A/302/120B of the Indian Penal Code

And

In the matter of : **Amjad Sk.**

.... Petitioner

Mr. Asraf Mondal

...for the Petitioner

Mr. Brajesh Jha, ld. APP

Mr. Rajesh Shah

...for the State

Learned Counsel for the petitioner prays for bail on any terms and conditions contending that the petitioner is in custody since January 12, 2022. He submits that out of 35 charge sheet witnesses, 13 witnesses have already been examined. Therefore, he submits that there is no chance of tampering with the evidence by the petitioner and therefore he may be enlarged on bail on any terms and conditions.

Learned Counsel appearing on behalf of the State opposes the bail prayer contending that the allegation is serious in nature and the case interalia involves offences punishable under Section 302 of the Indian Penal Code.

I have considered submissions made by both the parties. On perusal of the annexed copy of evidence adduced by the prosecution witnesses, it appears that all material prosecution witnesses have turned hostile and they have not stated anything before the Court implicating the present petitioner, with the alleged offence.

Having considered the period of detention and also considering the evidences so far adduced by the prosecution witnesses and that the key witnesses of the prosecution have already been examined, I do not find any reason to detain the petitioner any further.

Accordingly, the petitioner namely, **Amjad Sk.**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of Rs.5,000/-each, one of whom must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Murshidabad at Berhampore, and also on condition that the accused person shall not mis-use the liberty granted by this Court and he shall not tamper with any evidence orally or documentary during the trial. He shall not leave the jurisdiction of trial court without taking leave from trial court. He shall not absent himself on any day during trial and shall not commit any offence while on bail. He shall give his mobile phone number to the local police station and shall not change it without prior permission of the trial court and he shall not in any manner try to delay the trial. Be it mentioned in case of violation of any of the conditions as above, the trial court will be at liberty to cancel the bail without making any further reference to this court.

Be it further mentioned, that anything said herein shall not be construed as an expression of opinion on the merit of the case.

Accordingly, CRM (M) 1147 of 2026 is disposed of.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)