7.
05-10-2026
(ct. no.34)
debajyoti
(allowed)

CRM (M) 2257 of 2026

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Murshidabad Police Station Case No.67 of 2023 dated 25-01-2023 under Sections 326/307/34 of the Indian Penal Code read with Sections 25(i)(a)/27 of the Arms Act.

- A n d –

In the matter of : Asrafuddoula @ Md. Asrafuddoula @ Md. Asrafuddoullah @ Asrafuddoula

.... Petitioner.

Mr. Mrityunjay Chatterjee, Adv.,
Mrs. Suchismita Chakraborty, Adv.

... For the Petitioner.

Mr. Pritam Roy, Adv.

... For the State.

1. On behalf of the State, this case has been allotted to Mr. Kaushik Dey, learned advocate and Ms. Debolina Bhattacharya, learned advocate. But, none of them is present today. However, Mr. Pritam Roy, learned advocate, who usually appears for the State and is present in Court, is engaged on behalf of the State. His appointment be regularized and the matter is taken up for hearing on the second call, as the matter relates to an application for bail.

2. It is submitted by the learned advocate for the petitioner that total chargesheeted accused are eight, out of which, seven are facing trial and six of them are already enlarged on bail. The order sheets granting bail in respect of other accused are annexed herewith. It is further submitted that no other overt act has been mentioned against the present petitioner. The petitioner prays for bail on the ground of parity. The concerned firearm was recovered from other two accused persons and both of them are enlarged on bail on

June 09, 2023 by a Division Bench presided over by Hon'ble Justice Joymalya Bagchi.

3. On behalf of the State, objection has been raised to the prayer for granting bail.

4. Heard the submissions. Perused the records. It transpires from the record that the present petitioner is languishing in jail since November 14, 2025. Out of 43 witnesses, more than 27 witnesses have already been examined. Therefore, considering the facts and circumstances as well as on the ground of parity since all co-accused persons, similarly circumstanced, are already on bail, this Court is also inclined to allow the prayer of the petitioner for bail.

5. Accordingly, the petitioner be released on bail on the following conditions.

a) The petitioner, namely, **Asrafuddoula @ Md. Asrafuddoula @ Md. Asrafuddoullah @ Asrafuddoula**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad.

b) The petitioner shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and as and when called for and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and shall not commit any cognizable offence in any manner whatsoever.

c) The petitioner shall appear before the Officer-in-Charge/Inspector-in-Charge of the local police station once in a week, until further orders.

6. In the event the petitioner failed to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

7. The application for bail is, thus, **allowed**.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

[Chaitali Chatterjee (Das), J.]