

28.06.2024
Item no. 45.
Court No.28.
AB

**CRM (DB) 3174 of 2023
With
CRAN 1 of 2024**

In the matter of : Mosiur Rahaman

.....Petitioner.

Mr. Benajir Hasna,
Mr. Aliul Islamfor the Petitioner.

Md. Adil Badr
Ms. Payel Ghoshfor the State.

In re : CRAN 1 of 2024

This application for relaxation of conditions of bail is treated as on day's list.

The petitioner was enlarged on bail by a Coordinate Bench by an order dated August 11, 2023, passed in CRM (DB) 3174 of 2023 on certain conditions. Two of the conditions were that he shall remain within the jurisdiction of the District of South 24 Parganas and shall report to the Officer in Charge, Bansdrone Police Station once in a week until further orders.

The petitioner says that he is the sole bread earner for the family. He needs to visit Murshidabad which is his home town. He also says that in view of the fact that witness action is in progress, the requirement of reporting to the Officer in Charge, Bansdrone Police Station every week may be relaxed.

Learned Advocate for the State opposes the prayer for relaxation to the extent that the petitioner wants permission to

enter the district of Murshidabad. He says that trial is going on and three vulnerable witnesses are from Murshidabad. There is every likelihood that if the petitioner is permitted to enter the jurisdiction of Murshidabad, he will intimidate witnesses or tamper with evidence. Hence, at this stage, the prayer for relaxation is opposed.

We have considered the rival submissions of the parties. We are of the view that the condition regarding reporting to the Police Authority every week may be relaxed. Therefore, the petitioner need not meet the Police Authority any further.

Insofar as other conditions are concerned, we permit the petitioner to move out of the jurisdiction of South 24 Parganas but restrain him from entering the jurisdiction of Murshidabad district until further orders.

CRAN 1 of 2024 is, accordingly, disposed of.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

