

C.R.M. 2575 of 2020

(Through Video Conference)

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Raniganj P.S. Case No. 297 of 2019 dated 19.08.2019 under sections 302/201/120B of the Indian Penal Code.

And

In the matter of : Rabi Turi @ Chatu Turi @ Dabu Turi

Mr. Apurba Kumar Dutta

... ... for the petitioner

Ms. Sukanya Bhattacharya

Mr. Arindam Sen

... ... for the State

Petitioner is in custody for 474 days. Co-accused Md. Firoz is on bail.

Learned lawyer for the State opposes the prayer for bail and submits that petitioner had an illicit relationship with the wife of the deceased.

We have considered the materials on record. There are materials to show motive to commit murder. However, the case is based on circumstantial evidence. There is not eye-witness to the murder.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Asansole,

Paschim Burdwan subject to the condition that the petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to do so without justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this court.

The application for bail is, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)