

124  
(AD/  
KC) 10.12.2021  
Court No.28  
(Allowed)

**C.R.M. 8106 of 2021**  
**(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Hili** P.S. Case No.**139 of 2021** dated **10/07/2021** under Sections **393/302/34** of the Indian Penal Code read with Sections **25(i)(a)/27** of the Arms Act.

And

In the matter of: Rana Ghosh @ Sourav @ Sourav Ghosh Rana  
....petitioner.

Ms. Busra Khatun  
...for the petitioner.

Mr. Neiguive Ahmed  
Ms. Amita Gaur  
... for the State.

Petitioner is in custody for 151 days. Investigation is complete.

Learned lawyer for the State submits that petitioner is a conspirator and had given information about the movement of the victim, who was robbed and murdered by the co-accused persons.

We have considered the materials on record. Statements show that petitioner had arrived at the spot after the incident. The vehicle of the petitioner was used to take the deceased to the hospital.

Credibility of the allegation of conspiracy between the petitioner and other accuseds is to be assessed in the light of the aforesaid subsequent conduct of the petitioner during trial.

Under such circumstances and in view of the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 Chief Judicial Magistrate, Balurghat, Dakshin Dinajpur on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this Court.

The application for bail is disposed of.

**(Bivas Pattanayak, J.)**

**(Joymalya Bagchi, J.)**