

23.02.2022
Serial no. 38
Dd

CRM (DB) 524 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Polba** Police Station Case No. **202 of 2021** dated **27th October, 2021** under Sections **498A/302/120B** of the Indian Penal Code and subsequently charge sheet submitted under Sections **498A/306/34** of the Indian Penal Code.

-And-

In the matter of : Rajesh Murmu & Ors.

...Petitioners

Mr. Sabir Ahmed,
Mr. Mujibar Ali Naskar, Advocate
... .. For the Petitioners

Mr. Saswata Gopal Mukherjee,
Mr. Partha Pratim Das,
Ms. Manasi Roy, Advocates
... ..For the State

Petitioners seek bail.

Learned advocate appearing for the petitioners submits that the police filed charge sheet and, therefore, continued detention of the petitioners is not required. The incident arose out of a love affair.

Learned advocate appearing for the State draws the attention of the Court to the contents in the case diary.

Considering the gravity of the offence and the involvement of the petitioners therein, we are not inclined to grant bail to the petitioner no. 1, Rajesh Murmu. So far as the other two petitioners are concerned, considering the fact that the police filed charge sheet and considering the period of their detention, we are inclined to grant bail to them, i.e.,

petitioner no. 2, Mohan Murmu and petitioner no. 3, Laxmi Murmu.

Accordingly, we direct that the petitioner nos. 2 and 3 shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Chief Judicial Magistrate, Chinsurah, Hooghly subject to condition that the petitioner nos. 2 and 3 shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner nos. 2 and 3 fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner nos. 2 and 3 in accordance with law without further reference to this Court.

The prayer for bail of the petitioners is **partly allowed**.

CRM (DB) 524 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)