

17.06.2022
Sl. No.35
akd
[ALLOWED]

C. R. M. (DB) 1766 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.06.2022 in connection with Kultali Police Station Case No. 49 of 2020 dated 24.01.2020 under Sections 302/201/120B/115/34 of the Indian Penal Code. (G.R. Case No.505 of 2020)

And

In Re: ***Ali Hossain Laskar***

... .. Petitioner

Mr. Joy Chakraborty
Mr. Debarshi Brahma
Mr. Sandip Dinda

... .. for the petitioner

Mr. Swapan Banerjee
Mr. Anindya Sundar Chatterjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 870 days. It is further submitted that the petitioner is the cousin-in-law of the victim lady.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner had called the victim and thereafter, she and her sister were murdered. Knife was recovered on his leading statement.

We have considered the materials on record. Though it is contended petitioner called the victim over phone, no CDRs. corresponding to such telephonic communication are placed on record. FSL report with regard to the recovered knife is also not received. In view of the extent of complicity of the petitioner in the alleged crime and the period of detention suffered by him, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Ali Hossain Laskar***, be released on bail upon furnishing a bond of Rs.10,000/-

(Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Baruipur, South 24-Parganas subject to condition that the said 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 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, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)