

16.06.2022.
95.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1848 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Taherpur P. S. Case No.357 of 2021 dated 21.12.2021 under Sections 302 & 201 of the Indian Penal Code.

In the matter of : Rana Bag.

.... Petitioner.

Mr. Sumanta Das.

...for the Petitioner.

Mr. Binay Panda,

Ms. Puspita Saha.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 169 days. It is submitted there is no direct evidence connecting the petitioner with the murder. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail and submits on the leading statement of the petitioner offending weapon i.e. knife was recovered.

We have considered the materials on record. Case is based on circumstantial evidence. No FSL report with regard to offending weapon is placed before us. Whether the circumstances relied upon by the prosecution would form a complete chain irresistibly pointing to the guilt of the petitioner or not requires to be assessed during trial.

Keeping in mind the aforesaid facts, period of detention suffered by the petitioner and as investigation is complete, 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, Ranaghat, Nadia subject to 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 appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)