

30.06.2022
Sl. No.27
akd
[ALLOWED]

C. R. M. (DB) 2081 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.06.2022 in connection with Domjur Police Station Case No. 628 of 2018 dated 29.08.2018 under Sections 302/201/34 of the Indian Penal Code.

And

In Re: **Sk. Jasimuddin**

... .. Petitioner

Mr. Sujan Chatterjee

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor

Mr. Dipankar Pramanick

Ms. Nandini Chatterjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about three years and nine months. It is further submitted there is no evidence connecting him with the murder. Co-accuseds have been enlarged on bail.

Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner had assisted the principal accused in disappearance of evidence. Trial is in progress.

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioner in the alleged crime and as there is no direct evidence implicating him in the murder and co-accuseds similarly situated with the petitioner have been enlarged on bail, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Sk. Jasimuddin**, 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 Chief Judicial Magistrate, Howrah 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.)