

26.08.2022.
21.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2875 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Salanpur P. S. Case No.30 of 2022 dated 30.01.2022 under Sections 302/176/201/120B/34 of the Indian Penal Code.

In the matter of : Parimal Tantubai.

.... Petitioner.

Mr. Rabiul Islam,
Mr. Raju Mondal.

...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.,
Ms. Trina Mitra.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for 108 days. It is submitted that he is the brother in law of the principal accused and has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail. He submits the deceased had illicit affair with one Santana Nath. Petitioner is the brother of said Santana Nath. Petitioner in conspiracy with Santana and her husband Tapas committed the murder.

We have considered the materials on record. There is no direct evidence connecting the petitioner with the murder. Though petitioner had threatened the victim and had telephonic conversations with the co-accused Tapas, it is to be seen whether the aforesaid circumstances in the factual

backdrop of the case establishes the guilt of the petitioner during trial.

Keeping in mind the extent of complicity of the petitioner in the alleged crime 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 Chief Judicial Magistrate, Paschim Bardhaman subject to condition that he 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.)