

26.08.2022
as/ct 28
sl no. 30

C.R.M. (DB) 2885 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kharagpur Local P.S case no. 976 of 2021 dated 27.12.2021 under sections 302/201/379/468/411/414/120B of the IPC and

Allowed

In Re : Raju Jaiswal petitioner

Mr. Mazhar Hossain Chowdhury
Mr. M Alam

..... for the petitioner

Mr. M Sur
Mr. D Paramanick

..... for the State

Petitioner is in custody for 93 days. It is submitted he has been shown as an accused in the supplementary charge sheet. He did not play any role in the murder of the driver of the vehicle.

Learned lawyer for the State opposes the prayer for bail and submits petitioner was involved in manufacturing fake documents in order to misappropriate granules which were transported in the truck driven by the deceased.

We have considered materials on record. Statements of witnesses and other materials show involvement of the petitioner in preparing forged documents for misappropriation of stolen property. Whether he participated in the conspiracy to murder requires to be seen in the attending facts and circumstances during trial.

Keeping in mind the extent of complicity of the petitioner, the period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner, however, subject to conditions.

Accordingly, the petitioner 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 CJM, Paschim Medinipur on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall not enter the jurisdiction of Kharagpur Local P.S until further orders except for purpose of investigation and attending court proceeding and shall provide address where she shall presently reside to the investigating officer as well as to the court below and shall report to the officer in charge of the P.S concerned within whose jurisdiction he shall presently reside once in a week until further orders.

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 being CRM (DB) 2885 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)