

29.08.2022
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allowed

CRM(DB) No. 2908 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Singur Police Station Case No. 83 of 2021 dated 25.03.2021 under Sections 302/201/120B of the Indian Penal Code.

And

In Re : Aditya Maity petitioner

Mr. Suman Chakraborty
.....for the petitioner

Mr. Rudradipta Nandy, learned APP
Ms. Sonali Das
Ms. Sreeparna Das
..... for the State

Learned Counsel for the petitioner submits he is in custody for 106 days. It is also submitted that there is no direct evidence connecting the petitioner with the murder. He has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. In the course of investigation statements of the witnesses and telephonic conversation between the petitioner and the deceased were collected to establish motive of the crime. It is undeniable that petitioner and deceased had transactions in connection with their profession. However, no FSL report with regard to recovered weapon or vehicle allegedly used for transporting dead body is placed on record. Whether materials collected in the course of investigation would establish culpability of the petitioner or not is

required to be assessed during trial. Under such circumstances and as investigation is complete, we are inclined in granting bail to him.

Accordingly, we direct that the petitioner shall 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, Chandannagar, Hooghly, on condition that he shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)