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**CRM(DB) No. 3040 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Serampore Police Station Case No. 148 of 2022 dated 13.05.2022 under Sections 302/201/34 of the Indian Penal Code.

And

In Re : Ujjal Das ..... petitioner

Mr. Sanjib Mitra  
.....for the petitioner

Ms. Zareen N. Khan  
Md. Kutubuddin  
..... for the State

Learned Counsel for the petitioner submits he is in custody for 116 days. It is also submitted that there is no direct evidence connecting the petitioner with the alleged murder. Investigation is complete. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail and submits petitioner had enmity with the deceased. He had hired a killer to murder him.

We have considered the materials on record. Statements of the witnesses show there was enmity between the parties. Apart from motive there is no other legally admissible evidence to show that the petitioner had committed the murder. Statement of the petitioner before police officer is inadmissible in law. In view of the aforesaid circumstances and the period of detention suffered by the petitioner, we are inclined to grant 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 Sessions Judge, 1<sup>st</sup> Court, Serampore at 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.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**