

26.09.2022  
tkm/ct 28  
sl no. 45

**C.R.M. (DB) 3249 of 2022**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kulti P.S case no. 147 of 2022 dated 7.3.2022 under sections 302/201/120B of the IPC  
and

**Allowed**

In Re : Sabal Kumar ..... petitioner

Mr. Debasis Kar

..... for the petitioner

Mr. N Ahmed  
Ms. Trina Mitra

..... for the State

Petitioner is in custody for 200 days. It is submitted co-accused Avinash Kumar was enlarged on bail.

Learned lawyer for the State opposes the prayer for bail and submits various articles belonging to the deceased were recovered from the petitioner.

We have considered materials on record including the statement of one Hemanta Sarkar recorded under section 164 Cr.P.C. From the statement it appears that there was a dispute regarding fare of the vehicle and co-accused Chotu had suddenly fired at the driver. Petitioner stands on the same footing with said Avinash Kumar who is on bail.

In view of the aforesaid circumstances and the extent of complicity of the petitioner in the alleged crime, we are inclined to grant bail to the petitioner.

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 Bardhaman 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.

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) 3249 of 2022 is disposed of.

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

**(Joymalya Bagchi, J.)**