

28.09.2022.
27. SL
as
(Allowed)

C.R.M. (DB) 3292 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Rajnagar P. S. Case No.5 of 2022 dated 11.01.2022 under Sections 302/201 of the Indian Penal Code.

In the matter of : Sisir Garain.

.... Petitioner.

Mr. S. Das Mahapatra,
Mr. Kunal Ganguly.

...for the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty.

...for the State.

Petitioner is in custody for 131 days. It is submitted there is no direct evidence connecting him with the murder. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. There is no direct evidence connecting the petitioner with the murder. Statements of witnesses disclose petitioner and co-accused had a relationship with the deceased. There is nothing on record to show petitioner was last seen with the deceased. No incriminating material was recovered from his possession.

Under such circumstances, 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, Birbhum at Suri 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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)