

18.10.2022.
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NB/S.Banerjee
(Allow)

CRM (DB) 3577 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Lalgah P. S. Case No.46 of 2022 dated 31.05.2022 under Sections 302 of the Indian Penal Code.

In the matter of : Sanjoy Saren

... Petitioner.

Mr. Soumyajit Das Mahapatra

...for the Petitioner.

Mr. Joydeep Roy,
Mr. Asif Dewan.

.....for the State.

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody in excess of 100 days. The police filed charge sheet and therefore further detention of the petitioner is not required. He submits that the entire case is on the basis of circumstantial evidence. There is no direct evidence as against the petitioner.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that the victim was brutally murdered. He draws the attention of the Court to the photographs of the victims. He refers to the two statements recorded by the son of the victim under Section 164 of the Code of Criminal Procedure as also another person again under Section 164 of the Code.

Both the statements under Section 164 of the Code of Criminal Procedure proceeds on the basis of the opinion of such persons that the petitioner is involved in the incident.

Considering the period of the detention of the petitioner, the materials in the case diary, the fact that the police filed charge sheet, and the statements recorded under Section 164 of the Code of Criminal Procedure, we 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, Jhargram subject to the 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 being, CRM (DB) 3577 of 2022, is thus allowed.

(Debangsu Basak, J.)

(Ajay Kumar Gupta, J.)