

15.11.2022.
30.
as
(Allowed)

C.R.M. (DB) 3965 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola P. S. Case No.222 of 2022 dated 05.07.2022 under Sections 498A/302/201/34 of the Indian Penal Code.

In the matter of : Ebadul Sk.

.... Petitioner.

Mr. Ali Ahsen Alamgir,
Ms. Rabia Khatoon,
Ms. Soma Mal.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, ld. P.P.,
Mr. Aniket Mitra.

...for the State.

Petitioner is not the principal accused. He is in custody for 132 days. Investigation is complete. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits victim housewife has been throttled to death.

We have considered the materials on record. Petitioner is not the principal accused. Keeping in mind the extent of complicity of the petitioner in the alleged crime, period of detention suffered by him and as investigation is complete, 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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad 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.)