

17.01.2023  
Sl. No.21  
**akd**  
[ALLOWED]

**C. R. M. (DB) 163 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.01.2023 in connection with Taldangra Police Station Case No.55 of 2022 dated 16.07.2022 under Sections 304/302 of the Indian Penal Code. (G.R. Case No.379 of 2022)

And

In Re: **Ajit Ghosh**

... .. Petitioner

Mr. Rana Mukherjee  
Mr. Riddhiman Mukherjee  
Mr. Arkaprabho Roy

... .. for the petitioner

Mr. P. K. Datta  
Mr. P. K. Ganguly

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about six months. It is further submitted there was a quarrel amongst family members. Petitioner did not intend to commit the murder. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Incident occurred in course of a sudden quarrel. Whether the petitioner intended to commit the murder requires to be assessed in the aforesaid circumstances during trial. Investigation is complete. Petitioner does not have criminal antecedents. There is no possibility of abscondence or tampering of evidence.

Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Ajit Ghosh**, 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 Chief Judicial Magistrate, Khatra, Bankura subject to condition that the said petitioner 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 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 for bail, thus, stands **allowed**.

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

**(Joymalya Bagchi, J.)**