

25.01.2023
tkm/ct 28
sl no. 44

C.R.M. (DB) 311 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Salboni P.S case no.315 dated 13.12.2021 under sections 302/120B of the IPC
and

Allowed

In Re : Bablu Mahato alias Bablu Bhaku alias Laltu Mahato
..... petitioner

Mr. Ashok Das
Mr. Aninda Bhattacharya
Mr. S Shah

..... for the petitioner

Mr. R D Nandy
Ms. Sonali Das

..... for the State

Petitioner is in custody for 407 days. Investigation is complete. There is no direct evidence implicating the petitioner in the murder. He prays for bail.

Learned lawyer for the State submits petitioner had motive to commit the crime. Mobile phone of the deceased was recovered from the petitioner. Offending weapon has already been recovered.

We have considered the materials on record. There is no direct evidence connecting the petitioner with the crime. No FSL report regarding offending weapon is placed before us. Whether other circumstances in the light of the facts would form a complete chain implicating the petitioner may be thrashed out during trial.

Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, 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 Medinipur 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) 311 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)