

08.05.2023.
17.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 568 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P. S. Case No.160 of 2022 dated 20.02.2022 under Sections 364/302/201 of the Indian Penal Code.

In the matter of : Sourav Pramanik @ Sourab Pramanik
@ Rana.

.... Petitioner.

Md. Sabir Ahmed,
Mr. Biswajit Sarkar,
Mr. Dhiman Banerjee.

...for the Petitioner.

Mr. Rudradipta Nandy, ld. A.P.P.,
Mrs. Sonali Das.

...for the State.

Petitioner is in custody for 430 days. It is submitted there is no direct evidence connecting him with the murder. He prays for bail.

Learned Additional Public Prosecutor opposes the bail prayer. He submits there are evidence to show that the victim was last seen with the petitioner. Weapon of offence was recovered on his leading statement.

We have considered the materials on record. Case is based on circumstantial evidence. There are evidence to show that victim and petitioner were last seen together in the evening prior to the incident. However, no forensic report with regard to remnants at the place of occurrence is placed before us. No report with regard to the weapon allegedly seized has

also been placed. Whether the circumstances relied by prosecution would be sufficient to unerringly point to the guilt of the petitioner may be decided during trial. Petitioner has permanent home and hearth. There is no possibility of his abscondence or conclusion of trial in the near future.

Under such circumstances, we are inclined to grant bail to the petitioner subject to strict conditions.

Accordingly, the petitioner viz., Sourav Pramanik @ Sourab Pramanik @ Rana 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, Ranaghat, Nadia 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 and on further condition that the petitioner while on bail shall not enter Santipur Police Station and shall provide the address where he shall reside to the Investigating Officer as well as the court below and report to the Officer-in-charge of the Police Station concerned within whose jurisdiction he shall reside once in a week until further orders.

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.

Presence of the Investigating Officer is noted and dispensed with.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)