

27.03.2023
tkm/ct 28
sl no. 64

C.R.M. (DB) 1117 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Berhampore PS case no. 1274 of 2022 dated 26.9.2022 under sections 302/34 of the IPC

And

Allowed

In Re : Avhijit Das @ Avijit Das petitioner

Mr. S Adhikary

..... for the petitioner

Ms. Z N Khan

Md. Kutubuddin

..... for the State

Heard learned lawyers for the parties.

Petitioner is in custody for 184 days. There is no direct evidence connecting him with the murder. Co-accuseds are on bail.

Under such circumstances, we are inclined to extend the same privilege to the petitioner also.

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, Murshidabad at Berhampore 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) 1117 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)