

04.07.2023
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allowed

CRM(DB) No. 2494 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Murshidabad Police Station Case No. 273 of 2018 dated 11.05.2018 under Sections 302/34 of the Indian Penal Code.

And

In Re : Tapan Sarkar @ Tapan Mondal petitioner

Mr. Ali Ahsan Alamgir

Ms. Rabia Khatoon

Ms. Soma Mal

Ms. June Modak

....for the petitioner

Mr. Saibal Bapuli, learned APP

Mr. Sujan Chatterjee

.... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. There is delay in lodging FIR. There is no material to establish allegation of abetment to suicide.

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

Accordingly, we direct that 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 conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)