

14.07.2023
Sl. No.38
akd
[ALLOWED]

C. R. M. (DB) 2803 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.07.2023 in connection with Berhampore Police Station Case No.1253 of 2022 dated 22.09.2022 under Sections 302/34 of the Indian Penal Code and subsequently charge sheet submitted under Sections 302/34 of the Indian Penal Code.

And

In Re: ***Sohel Rana Sk. @ Sohel***

... .. Petitioner

Md. Sabir Ahmed
Md. Abdur Rakib
Mr. Biswajit Sarkar
Mr. Dhiman Banerjee
Mr. Suman Biswas

... .. for the petitioner

Mr. Sudip Ghosh
Mr. Koushik Kundu

... .. for the State

It is submitted on behalf of the petitioner that co-accused has been enlarged on bail. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Apart from motive, no legally admissible evidence connecting the petitioner with the murder is placed on record. Co-accused has been enlarged on bail. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Sohel Rana Sk. @ Sohel***, 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 Sessions Judge, Fast Track, 3rd Court, Berhampore, Murshidabad 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.)