

02.08.2023
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allowed

CRM(DB) No. 3054 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Asansol (North) Police Station Case No. 372 of 2022 dated 31.08.2022 under Sections 302/201/120B of the Indian Penal Code.

And

In Re : Sani Kumar Singh @ Sani Singh petitioner

Mr. Sourav Chatterjee

Mr. Avik Ghatak

Mr. Saibal Kumar Dasgupta

....for the petitioner

Ms. Anasuya Sinha

Mr. Pinak Kumar Mitra

..... for the State

Liberty is granted to correct the cause title.

Learned Counsel for the petitioner submits he is in custody for 332 days. It is also submitted that he is not the principal accused. At its height he has assisted for disposal of the dead body. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Statements of the witnesses show petitioner had been approached by the principal accused to replace the battery of a vehicle which is used for disposal of the dead body. Principal accused is the uncle-in-law of the victim and it appears that the victim was addicted to drugs and misbehaved with the principal accused and other family members. In view of the aforesaid circumstances and extent of complicity of the petitioner in the crime we are inclined to grant bail to him.

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 Chief Judicial Magistrate, Paschim Bardhaman, on 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)