

18.09.2023
Sl. No.17
akd
[ALLOWED]

C. R. M. (DB) 3578 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.09.2023 in connection with Karimpur Police Station Case No.22 of 2022 dated 30.01.2022 under Sections 279/338/325/307/427/34/302 of the Indian Penal Code. (G.R. Case No.798 of 2022)

And

In Re: **Ranjit Sarkar @ Biswas**

... .. Petitioner

Mr. Asraf Mandal

... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor

Ms. Zareen N. Khan

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for over 593 days. It is further submitted eyewitness viz. Soheli Mondal has not supported the prosecution case. Accordingly, he renews his prayer for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits said Soheli Mondal has implicated the petitioner in his statement before police as well as Magistrate. Other witnesses also came to the spot where the victim was murdered.
3. We have considered the materials on record. Soheli Mondal has resiled from his earlier statements in court. Other witnesses have not named the petitioner in their statements before Magistrate. In view of the aforesaid development and the statements of other witnesses before Magistrate which do not incriminate the petitioner, we are of the opinion bail prayer of the petitioner may be reconsidered and he may be released on bail.
4. Therefore, the accused/petitioner, namely **Ranjit Sarkar @ Biswas**, 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 Chief Judicial Magistrate, Tehatta, Nadia 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.

5. 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.
6. The application for bail, thus, stands allowed.

(Ajoy Kumar Mukherjee, J.)

(Joymalya Bagchi, J.)