

22.09.2023
Sl. No.45
akd
[ALLOWED]

C. R. M. (DB) 3694 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.09.2023 in connection with Moyna Police Station Case No.119 of 2022 dated 11.05.2022 under Sections 302/201/120B of the Indian Penal Code. (G.R. Case No.1310 of 2022)

And

In Re: **Balaram Patra @ Radhanath Patra**

... .. Petitioner

Mr. Amal Krishna Samanta

... .. for the petitioner

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

Ms. Amita Gaur

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Petitioner is said to be the paramour of one Rupali Patra. It is stated they conspired to murder the husband of Rupali. There is no direct evidence implicating them in the murder. Case is based on circumstantial evidence. Rupali Patra has been enlarged on bail. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary and he may be released on bail.
3. Therefore, the accused/petitioner, namely **Balaram Patra @ Radhanath Patra**, 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 Chief Judicial Magistrate, Purba Medinipur 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.

4. 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.
5. The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)