

11.10.2023
29
b.das
Ct.No. 28

C.R.M. (DB) 3942 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Raiganj P.S case no. 652 of 2023 dated 17.06.2023 under section 302 of the Indian Penal Code.

and

Allowed

In Re : **Mahabub Alam @ Mehebub Alam** ... petitioner

Mr. Jisan Hossain
Ms. Chandrima Debnath

..... for the petitioner.

Mr. S. G. Mukherjee
Mr. Partha Pratim Das
Ms. Manasi Roy

..... for the State

1. Heard learned Advocates for the parties.
2. Petitioner is the son-in-law of the victim. He is in custody for 93 days. Investigation is complete. He prays for bail.
3. Learned lawyer for the State opposes the bail prayer and submits that the petitioner had an affair with the co-accused, that is, his mother-in-law and committed the murder.
4. We have considered the materials on record. The case is based on mere suspicion. There is no direct evidence connecting the petitioner with the murder. There is no chance of abscondence.
5. Under such circumstances, we are inclined to grant bail to the petitioner.
6. Accordingly, the petitioner 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 CJM, Raiganj on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

7. In the event petitioner 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.

8. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)