

10.04.2024  
Sl. No.28  
akd  
[ALLOWED]

C. R. M. (DB) 1041 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.04.2024 in connection with Suti Police Station Case No.593 of 2023 dated 04.10.2023 under Sections 120B/302 of the Indian Penal Code and Sections 25/27 of the Arms Act. (G.R. Case No.2595 of 2023)

And

In Re: **Md. Jahangir Alam @ Rinku**

... .. Petitioner

Mr. Niladri Sekhar Ghosh  
Mr. Tapodip Gupta

... .. for the petitioner

Ms. Amita Gaur  
Mr. Tapas Kumar Saha

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 185 days. It is further submitted petitioner is not the principal accused. He has been falsely implicated in the instant case. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits one Rakhi Das entered into conspiracy with her paramour viz. Soumen Das to commit the murder of her husband. Money was transferred to the petitioner to supply firearm to Azizul who committed the murder. There are monetary transactions between the petitioner and Soumen Das.
3. We have considered the materials on record. There is no direct evidence that petitioner had murdered the victim. He is alleged to be a conspirator and it is stated that he supplied firearm. Though there are monetary transactions between himself and a co-conspirator viz. Soumen Das, nothing is placed on record to show that firearm used by Azizul was supplied by the petitioner. Call Detail Records (CDRs)

show telephonic conversations (*contents whereof are unknown*) between the petitioner and co-accused. In view of the scanty evidence on record and the extent of complicity of the petitioner in the crime, we are of the opinion further detention of the accused/petitioner is not necessary.

4. Therefore, the accused/petitioner, namely ***Md. Jahangir Alam @ Rinku***, 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, Jangipur, 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.
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.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**