

24.04.2024
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allowed

CRM (DB) No. 1287 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pursurah Police Station Case No. 201 of 2023 dated 06.09.2023 under Section 302 of the Indian Penal Code.

In Re : Suprabhat Bauri

Mr. S. Adhikary
Mr. M. Rahaman
....for the petitioner

Mr. Avishek Sinha
.... for the State

1. Learned Counsel for the petitioner submits there is no direct evidence connecting him with the murder. He is in custody for 178 days. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits victim had been strangled to death. CDRs collected during investigation show she had telephonic conversation with the petitioner.

3. We have considered the materials on record. Apart from CDRs collected during investigation no other legally admissible evidence to show access of the petitioner to the victim at the time of occurrence is placed on record. In view of scanty evidence on record and as investigation is complete, we are inclined to grant bail to the petitioner.

4. 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 Additional Chief Judicial Magistrate, Arambagh, Hooghly, subject to 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.

5. 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.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)