

09.05.2024
tkm/ct 28
sl no. 43

C.R.M. (DB) 1462 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Hariharpara P.S case no. 529 of 2023 dated 23.11.2023 under sections 302/201/120B/34 IPC
and

Allowed

In Re : Sarfaraj Khan @Sujan Khan petitioner

Mr. Arindam Jana
Mr. Asraf Mandal

..... for the petitioner

Mr. Soumik Ganguly
Ms. Ankita Paul

..... for the State

1. Petitioner is in custody for 166 days. He submits he is not the principal accused. Co-accused Gaffar Khan has been enlarged on bail. He prays for bail.
2. Learned lawyer for the State submits victim had been abducted and murdered.
3. We have considered the materials on record. We have also considered the statement of the wife of the victim. Petitioner has not been implicated him in the murder. In view of the extent of his complicity in the crime, we are inclined to grant bail to the petitioner.
4. 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 Murshidabad at Berhampore 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.

5. In the event he fails to do so or resorts to dilatory tactics and delay the trial, trial court shall be at liberty to cancel his bail without reference to this court.

6. The application being CRM (DB) 1462 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)