

31.7.2024
Ct. No. 06
SL No. 43
S.De/
Tanmoy

C.R.M. (DB) 2079 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Nandakumar** P.S. Case No. 290 of **2024** dated **30.04.2024** under Sections 302/201/120B of the Indian Penal Code.

And

In the matter of: Sk. Muslem @ Sk. Muselam @ Sk. Moslem Ali

Mr. Navanil De

Mr. Subhrajit Dey ...for the Petitioner

Ms. Zareen Khan

Ms. Dattatreya Duttafor the State

1. Petitioner is in custody for 89 days. He submits he is the grandfather of the victim boy. He has been falsely implicated. He prays for bail.
2. Learned advocate for the State opposes the bail prayer and submits petitioner was present at the spot when the victim was murdered.
3. We have considered the materials on record. Statements of witnesses show victim boy found his mother having illicit relationship with his uncle Alamgir. As a result the inmates of the house murdered him. Petitioner is the grandfather of the victim boy. He is no way involved in the alleged illicit relationship. His complicity is based on mere surmises and conjectures. There is no chance of his abscondence.
4. Under such circumstances we are inclined to grant bail.
5. Accordingly, we direct 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 Chief Judicial Magistrate, Purba Midnapur at Tamluk subject to the condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not

intimidate witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.

7. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)