

05.08.2024
tkm/ct 6
sl no. 63

C.R.M. (DB) 2436 of 2024

In Re : An application for bail under section 439 Cr.P.C (section 483 of Bharatia Nagarik Suraksha Sanhita, 2023) in connection with Raninagar P.S case no. 159 of 2024 dated 16.3.2024 under sections 363/365 IPC charge sheet submitted under sections 363/365 IPC adding sections 302/120B IPC

Allowed

And

In Re : Swapan Khan @ Safar Khan @ Sefa Khan

..... petitioner

Mr. S Das Mahapatra
Mr. G N Imrohi

..... for the petitioner

Mr. Sandip Chakraborty
Ms. Rajashree Tah

..... for the State

1. Petitioner is in custody for 124 days. He submits he has been false implicated out of suspicion. He prays for bail.
2. Learned counsel for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner is a cousin of the principal accused Nargis Khan. Nargis and the deceased had an illicit affair. Body of the deceased was recovered from the septic tank in the house of Nargis. Petitioner does not ordinarily reside in the said house. His complicity transpires from the statement of co-accused Nargis. No corroborative legally admissible evidence supporting his role has been placed on record. Investigation is complete. There is no chance of abscondence.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. 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 ACJM Lalbagh Mujrshidabad 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.

6. 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.
7. The application being CRM (DB) 2436 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)