

07.11.2024
tkm/ct 28
sl no. 59

C.R.M. (DB) 2688 of 2024

In Re : An application for bail under section 483 of the BNSS 2023 in connection with Samsherganj P.S case no. 154 of 2024 dated 15.3.2024 under section 302/34 IPC
And

Allowed In Re : Jahangir Alam ... petitioner

Mr. K K Mukherjee
Mr. N Acharyya
..... for the petitioner
Mr. R D Nandy
Ms. Nahid Ahmed
..... for the State
Mr. B Hasua
Ms. Puja Goswami
Mr. A Islam
..... for the de facto complainant

1. Petitioner is in custody for 136 days. He submits there is no direct evidence connecting him with the crime. Investigation is complete. He prays for bail.
2. Learned lawyer for the state opposes the bail prayer. He refer to latitude-longitude report of the mobile phone of the petitioner to show that he was present near the place where murder was committed.
3. We have considered the materials on record. There is no direct or ocular evidence with regard to presence of the petitioner at the place of occurrence. Whether the latitude-longitude report simplicitor is sufficient to establish guilt is to be assessed during trial. Investigation is complete. There is no chance of abscondence.
4. Under such circumstances we are inclined to grant bail to the petitioner however, subject to strict conditions.

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 Jangipur Murshidabad 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 and on further condition that the petitioner while on bail shall not enter the jurisdiction of Samsherganj P.S and shall provide the address where he shall presently reside to the investigating agency as well as the trial court and shall meet the officer in charge of the police station concerned within whose jurisdiction he shall presently reside once in a week until further orders.

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) 2688 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)