

05.11.2024
Sl. No.71
SG
[ALLOWED]

C. R. M. (DB) 3039 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.09.2024 in connection with Bishnupur Police Station Case No. 145 of 2023 dated 19.02.2023 under Sections 302/120B/34 of the Indian Penal Code.

And

In Re: ***Bhaskar Mal***

... .. Petitioner

Mr. Debabrata Acharyya
Ms. Sital Samanta

... .. for the petitioner

Ms. Amita Gaur
Mrs. Shiala Afrin

... .. for the State

1. It is submitted on behalf of the petitioner he is in custody for one year and six months. He further submits he has been falsely implicated. Co-accused has been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State submits CDRs recovered during investigation show telephonic conversation between the petitioner and the co-accused who committed the murder.
3. We have considered the materials on record. Complicity of the petitioner is based on circumstantial evidence. Co-accused Pradip Gayen has been enlarged on bail. Under such circumstances, we are inclined to extend the same privilege to the petitioner also.
4. Therefore, the accused/petitioner, namely ***Bhaskar Mal***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount

each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, South 24-Parganas at Alipore subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders 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 leave the jurisdiction of Bishnupur Police Station except for the purpose of attending court proceedings and shall report to the Officer-in-charge, Bishnupur Police Station once in a week until further orders.

5. 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.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)