

05.11.2024
Ct. No. 28
SL No. 75
SB

C.R.M. (DB) 3118 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of B.N.S.S., 2023 in connection with **Sankrail** P.S. Case No. **410** of **2024** dated **03.6.2024** under Sections 302 of the Indian Penal Code.

And

In the matter of: Jagnarayan Mishra

Mr. Souvik Meter

Mr. Sanjib Seth

...for the Petitioner

Mr. Saryati Dutta

Mr. D. Das

....for the State

1. Learned counsel for the petitioner submits petitioner is in custody for more than five months. He submits there is no direct evidence connecting him with the murder. He prays for bail.
2. Learned counsel for the State opposes the bail prayer.
3. We have considered the materials on record. The case is based on circumstantial evidence. Whether the circumstances are conclusive to establish the guilt may be assessed during trial. Investigation is complete. There is no chance of abscondence.
4. Under such circumstances, we are inclined to enlarge the petitioner on 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, Howrah, subject to 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.)