

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

15.05.2024.
9/tkm

C.R.M. (DB) 231 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ghoksadanga P.S case no. 529 of 2023 dated 22.10.2023 under sections 364/302/201/120B IPC

and

Allowed

In the matter of : Rahul Haque @ Rahul Hoque

..... Petitioner

Mr. Bikash Singha

Mr. Chandan Roy

...for the Petitioner

Mr. A S Chakraborty, Ld APP

Mr. Tapan Bhattacharjee

...for the State

1. Petitioner is in custody for more than six months. He submits he has been falsely implicated. There is no direct evidence connecting him with the murder. Co-accused are on bail. He prays for bail.

2. Learned lawyer for the State opposes the bail prayer. He contends petitioner conspired with child in conflict with law Reshmi Khatoon and others to commit the crime. Victim had been called from his residence and murdered.

3. We have considered the materials on record. There is no direct evidence connecting the petitioner with the murder. Co-accused have been enlarged on bail.

4. Keeping in mind the materials collected against the petitioner and the period of detention suffered by him, we are inclined to grant bail to him.

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 Mathabhanga, Coochbehar 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) 231 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)