

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

22.05.2024.
5/tkm

C.R.M. (DB) 246 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 365/109 IPC, charge sheet submitted under sections 364/302/201/120B/34 IPC

and

Allowed

In the matter of : Raju Hossain @ Hosen Petitioner

Mr. Subhasish Misra

Mr. S Paul

...for the Petitioner

Mr. A S Chakraborty, Ld APP

Mr. Sourav Ganguly

...for the State

1. Petitioner 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.

3. We have considered the materials on record. Complicity of the petitioner transpired from statement of co-accused before police. Others have been enlarged on bail. Investigation is complete. There is no chance of abscondence.

4. Under such circumstances, 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) 246 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)