

13.05.2025

27

jb.

jdt.

Allowed

**C.R.M. (DB) 984 of 2025**

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Beldanga Police Station Case No. 885 of 2023 dated 28.11.2023 under Sections 341/326/307/354/406/302/34 of the Indian Penal Code.

And

In Re : Animesh Ghosh .... Petitioner

Mr. Soumya Nag

Mr. Rajdeep Sengupta

... For the Petitioner.

Ms. Amita Gaur

Mr. Anindya Sundar Chatterjee

... For the State.

The petitioner is in custody for about 5 months after voluntarily surrendering before the learned Court.

Learned counsel for the petitioner submits that the petitioner is not the principal accused and has no involvement in the murder of the victim. The petitioner prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

A recovery agent of a finance company was assaulted to death by the principal accused and his family members when he went to recover the dues. Though the petitioner appears to be present at the spot at the relevant time he is not the principal accused who dealt the fatal blow. Charge sheet has been submitted.

Considering the material on record and extent of complicity of the petitioner in the alleged crime, this Court is of the view that further detention of the petitioner is not required and he may be released on bail subject to stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioner namely Animesh Ghosh shall be released on bail upon furnishing 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, Berhampore, Murshidabad subject to condition that he shall remain within the jurisdiction of Berhampore police station and shall furnish the address where he shall presently reside before the learned trial Court, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction he shall presently reside. The petitioner shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

**(Suvra Ghosh, J.)**