

08
10.04.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 42 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Golabari P.S. Case No.03 of 2021 dated 03.01.2021 under Section 302/201 of IPC.

And

In Re : **Aman Gupta @ Vicky**

... Petitioner.

Mr. Soumyajit Das Mahapatra
Mr. R. Halder

... for the Petitioner.

Ms. Faria Hossain
Mr. Subhajit Chowdhury

... For the State.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner is in custody for more than 4 years. He is said to be the paramour of the principal accused who is the wife of the victim. The wife has been granted bail earlier and the daughter, who was tried by the Juvenile Justice Board, has been acquitted. Out of 23 witnesses 11 witnesses have been examined. The petitioner prays for bail.

Opposing the prayer learned counsel for the State submits that the petitioner helped the principal accused to do away with the victim and dispose of the body in the river. The rope used in the murder was recovered from the house of the petitioner pursuant to his leading statement.

I have considered the material on record. The petitioner is in custody for more than 4 years. Last witness

was examined in 2024. There has been no progress in trial of the case since then. Co accused has been granted bail earlier.

Considering the material on record, particularly the period of detention of the petitioner, this Court is inclined to hold that further detention of the petitioner is not required and he may be released on bail.

Accordingly prayer for bail is allowed.

The petitioner **Aman Gupta @ Vicky** 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, Howrah subject to condition that the petitioner shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever. The petitioner shall not leave the district of Howrah until further orders.

In the event the petitioner fails to comply with any of the conditions stated above, 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 thus 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.)