

17.07.2025

Item No.34

Ct.No.34

rc.

Allowed

C.R.M. (M) 829 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ausgram Police Station Case No. 174 of 2023 dated 05.06.2023.

And

In Re : **Kesto Mete**

... Petitioner

Mr. Uday Sankar Chattopadhyay

Ms. Trisha Rakshit

Ms. Rajashree Tah

Ms. Aishwarya Datta

... for the Petitioner

Mr. Partha Pratim Das

Mr. Manoranjan Mahata

... For the State

Heard learned counsels for the parties.

The petitioner is in custody for more than two years and prays for bail.

Learned counsel for the petitioner submits that the co-accused have been granted bail and the petitioner stands on the same footing.

Opposing the prayer learned, counsel for the State submits that the petitioner threatened the victim with murder. The victim had taken loan from the petitioner and the petitioner had sufficient mens rea for murder the victim.

I have considered the material on record. The case is based on circumstantial evidence. The witnesses have implicated the petitioner as well as co-accused in the alleged

offence. Co-accused have been granted bail earlier. The motive of the petitioner in murdering the victim shall be assessed at the appropriate stage of trial. Five out of thirteen witnesses have been examined till date.

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

Accordingly prayer for bail is allowed.

The petitioners **Kesto Mete** 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, Purba Bardhaman subject to condition that he shall remain outside the jurisdiction of Ausgram Police Station. The petitioner shall furnish the address where he shall presently reside before the learned trial Court, Investigating Officer and the Officer-in-Charge of the concerned police station under whose jurisdiction he shall henceforth reside. He shall appear before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions as mentioned above without justifiable cause, 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.

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

(Suvra Ghosh, J.)