

18.02.2025
Item No.37
Court No.26
Allowed
CHC

CRM (DB) 4052 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/Section 483 of the Bharatiya Nagarik Suraksha Sanhita, in connection with **Beldanga** Police Station Case No. **956 of 2023** dated 24.12.2023 under Sections **302/328/34** of the Indian Penal Code, 1860.

-And-

In the matter of : Alimurshed @ Ali Murshed

... ... Petitioner

Mr. Jisan Iqbal Hossain, Advocate
... ... For the Petitioner

Mr. Partha Pratim Das, Advocate
Mr. Abhinaba Mukherjee, Advocate
... ...For the State

1. It is alleged as against the petitioner that, the petitioner is the paramour of the wife of the victim.
2. Post Mortem Report of the victim states that, the death was due to the effect of poisoning ante mortem in nature. No injury was found on the body of the victim.
3. Records placed before the Court suggest that, the petitioner and the wife of the victim accompanied the victim up to the hospital where victim expired.
4. In such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a 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, Murshidabad at Berhampore, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.
7. The prayer for bail of the petitioner is **allowed**.
8. CRM(DB) 4052 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)