

08.02.2022
Serial no. 42
Dd

CRM (DB) 303 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **519 of 2021** dated **06.10.2021** under **Sections 364/376D/302/34** of the Indian Penal Code.

-And-

In the matter of : Subal Chaudhury @ Subol Chowdhury
...Petitioner

Mr. Kallol Mondal,
Mr. Amanul Islam,
Mr. Kishan Roy,
Mr. Sourav Mukherjee, Advocates
... .. For the Petitioner

Mr. N. Ahmed, Ld. APP
Ms. Ayantika Roy, Advocates
... ...For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. There is no material implicating the petitioner. He submits that the petitioner is in custody for 123 days and since the police filed charge sheet, further detention of the petitioner is not required.

Learned Additional Public Prosecutor draws the attention of the Court to the materials in the case diary. He submits that the petitioner was frequenting the residence of the victim.

Considering the period of detention of the petitioner, materials in the case diary and in view of the fact that the police filed charge sheet, we are inclined to grant bail to the petitioner.

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 Additional Chief Judicial Magistrate, Tehatta, Nadia 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.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is **allowed**.

This application for bail is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)