

06.05.2022

Sl. No. 04

Srimanta

Ct.No.42

CRM (SB)/84/2022

(Via Video Conference)

In Re : An application under Section **439** of the Code of Criminal Procedure, 1973 in connection with **Kaliganj** Police Station Case No. **298/2021** dated **08.06.2021** under Sections **341/325/308/354/34** of the Indian Penal Code, 1860.

In the matter of : **Paku Sk. @ Tajemuddin Sk. & Anr.**

...Petitioners.

Mr. S. M. Samim Ullah, Adv.

...for the petitioners.

Mr. Binay Panda, Adv.,

Ms. Puspita Saha, Adv.

...for the State.

On due consideration of the submission made by the Learned Advocates for the petitioner and the State/opposite party it is ascertained that co-accused persons were released on bail. On careful perusal of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure it appears that the offence under Section 354 was not attributed to the present petitioners. The allegation against the petitioners is that they along with the other accused jointly assaulted the victim with the help of an iron road.

In respect of other offences the petitioners stand on the same footing with other bailed out accused persons.

In view of such circumstances, the petitioners are entitled to be released on bail. The petitioners be enlarged on bail of Rs.10,000/- (Rupees Ten Thousand) with one surety each to the satisfaction of the Learned Chief Judicial Magistrate, Krishnagar, Nadia with further condition that if on bail they shall attend the Investigating Officer once in a fortnight during pendency of the

investigation and they shall not tamper with the evidence and/or threaten the witnesses during the period they will be on bail.

The instant application is, thus, **disposed of**.

(Bibek Chaudhuri, J.)