

20.05.2022

Sl. No. 06

Srimanta

Ct.No. 42

CRM (SB)/102/2022

In Re : An application for bail under Section **439** of the Code of Criminal Procedure, 1973 in connection **Chapra** Police Station Case No. **204/2022** dated **12.04.2022** under Sections **341/323/325/308/34** of the Indian Penal Code.

In the matter of : **Naskar Mondal**

...petitioner.

Mrs. Karabi Roy, Adv.

...for the petitioner.

Mr. Binay Panda, Adv.,
Ms. Puspita Saha,, Adv.

...for the State.

Having heard the Learned Advocate for the petitioner and the State respondent and on careful perusal of the entire material-on-record, it is ascertained that this Court granted anticipatory bail to co-accused persons on 17th May, 2022. The petitioner is the husband and father respectively of the persons who were favoured with an order of anticipatory bail by the Division Bench of this Court in CRM(A) 2192/2022. It is further submitted by the Learned Advocate for the petitioner that except 308 of the Indian Penal Code all other provisions are bailable in nature. As per the injury report the injured received a cut wound on the skull. The nature of injury is not serious which may persuaded this Court to hold that the present petitioner with other accused persons attempted to commit culpable homicide not amounting to murder.

The Learned Public Prosecutor-in-Charge has raised objection against the prayer for bail showing the injury report

from the case diary. She also submits that the present petitioner is the principal accused.

Considering the nature of injury, materials on case diary and in view of the fact that the counter case over the selfsame incident is also pending, I am inclined to release the petitioner on bail.

The petitioner be enlarged on bail of Rs.10,000/- (Rupees Ten Thousand) with one surety of like amount to the satisfaction of the Learned Additional Chief Judicial Magistrate, Krishnagar, Nadia with further condition that the petitioner shall attend the trial of the case on each and every date failing which the order of bail shall be cancelled without further reference to this Court.

(Bibek Chaudhuri, J.)