

15.06.2022
tkm/ct 28
sl no. 67

C.R.M. (DB) 1710 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chandrakona P.S case no. 271 of 2020 dated 27.9.2020 under sections 302/120B/34 IPC
and

Allowed

In Re : Mahadeb Chowdhury & Ors. petitioners

Mr. Sabir Ahmed
Mr. M Ali Naskar
Mr. A Saha

..... for the petitioners

Mr. N Ahmed
Ms. A Gaur

..... for the State

It is submitted on behalf of the petitioners that they are in custody for 36 days. Victim died due to cardiac failure.

Learned lawyer for the State opposes the prayer for bail and submits that bail prayer of the petitioner was cancelled by the learned sessions judge.

We have considered materials on record including the post mortem report which supports the submission of the petitioners.

Keeping in mind the facts and circumstances of the case, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Ghatal, Paschim Medinipur on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 1710 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)