

16.06.2022
cm/ct 28
sl no. 57

C.R.M. (DB) No.1777 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Madhyamgram P.S Case No. 170 of 2019** dated **13.04.2019** under Sections **302/34** of the Indian Penal Code.
And

Allowed

In Re : Raj Chakraborty

..... petitioner

Mr. Mazhar Hossain Chowdhury
Mr. Mobashshara Alam

..... for the petitioner

Mr. Sudip Ghosh
Mr. Apurba Kumer Datta

..... for the State

It is submitted on behalf of the petitioner that he is not the principal accused. Victim had assaulted the principal accused. In retaliation, the incident occurred.

Learned lawyer for the State opposes the prayer for bail

We have considered the materials on record. Petitioner does not appear to be principal accused. Keeping in mind the extent of complicity of the petitioner in the alleged crime, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing bonds of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Barasat, North 24 Parganas on condition that the petitioner 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 petitioner fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) No. 1777 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)