

24.06.2022.
15.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1863 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliganj P. S. Case No.287 of 2021 dated 30.05.2021 under Sections 341/326/307/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

In the matter of : Kalam Shikari.

.... Petitioner.

Mr. Satarup Purkasthya,
Mr. Amanul Islam,
Mr. Sourav Mukherjee.

...for the Petitioner.

Ms. Anasuya Sinha,
Ms. Jonaki Saha.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about one year and twenty five days. It is submitted petitioner did not intend to murder the victims.

Learned Advocate for the State opposes the prayer for bail and submits petitioner and co-accused Moktar had fire arms and fired at the victims.

We have considered the materials on record. Petitioner had fired at one victim who suffered injury on his left finger.

In view of the nature of injuries suffered by the victim and the period of detention suffered by the petitioner i.e. one year and twenty five days, we are of the opinion that he may be enlarged on bail.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnanagar subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses 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 his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)