

27.06.2022
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allowed

CRM(DB) 1998 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 349 of 2022 dated 18.04.2022 under Sections 448/326/354B/307/34 of the Indian Penal Code.

And

In Re : Achinta Gayali petitioner

Mr. Asraf Mandal

.....for the petitioner

Mr. Binay Panda

Mr. Subham Bhakat

..... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for 48 days. It is further submitted that there is delay in lodging F.I.R.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioner in the alleged crime in the light of the submission that there is delay in lodging F.I.R. and the period of detention suffered by the petitioner i.e. 48 days, we are inclined to grant bail to him.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia, subject to the condition that the petitioner shall appear before the learned trial

court on every date of hearing until further orders and shall not intimidate witnesses and/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 the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)