

30.06.2022.
17.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2069 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P. S. Case No. 19 of 2021 dated 07.01.2021 under Sections 341/325/326/307/506/34 of the Indian Penal Code.

In the matter of : Biswanath Das @ Bisu @ Pokka.
.... Petitioner.

Mr. Prabir Majumder.
...for the Petitioner.

Mr. Nguive Ahmed, Id. A.P.P.,
Ms. Zareen N. Khan.
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 531 days. He renews his prayer for bail. It is contended he has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail and submits charge has already been framed in the present case.

We have considered the materials on record. Injuries suffered by the victims are grievous. Issue whether the petitioner intended to murder the victims requires to be assessed in the light of attending circumstances in the course of trial.

In view of the aforesaid fact including period of detention suffered by the petitioner i.e. 531 days and as there is little

possibility of the trial concluding in the near future, we are inclined to grant bail to the petitioner.

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 Additional Chief Judicial Magistrate, Ranghat, Nadia 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.)