

12.07.2022.
23.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2195 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pingla P. S. Case No.22 of 2022 dated 27.01.2022 under Sections 341/323/324/326/307 and 120(b) of the Indian Penal Code.

In the matter of : Uttam Kumar Nag.

.... Petitioner.

Mr. Sankar Nath Mukherjee,
Sk. Samim Akhtar.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 148 days. It is contended he is not the principal assailant.

Learned Advocate for the State opposes the prayer for bail. He submits petitioner was the owner of the vehicle which was used by the accused persons to come to the spot. They shared common intention to assault the victim.

We have considered the materials on record. Petitioner is not the principal assailant. Keeping in mind the extent of complicity of the petitioner in the alleged crime, period of detention suffered by him and as investigation is complete, 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 Chief Judicial Magistrate, Paschim Medinipur subject to condition that he 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.)