

22.07.2022.
20.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2197 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jhalda P. S. Case No.85 of 2022 dated 23.05.2022 under Sections 341/326/307/379/34 of the Indian Penal Code.

In the matter of : Sk. Sabir.

.... Petitioner.

Mr. Tapan Datta Gupta,
Mr. Parvej Anam.

...for the Petitioner.

Mr. Atif Ahmed Siddiqui.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 60 days. He has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record including injury report. Whether the petitioner intended to murder the victim requires to be assessed in the light of the attending facts and circumstances of the case. Balancing the nature of accusation with the period of detention suffered by the petitioner, 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, Purulia 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.)