

12.07.2022
cm/ct 28

C.R.M. (DB) No. 2235 of 2022

sl. no. 33

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Kaliganj P.S Case No. 199 of 2022** dated **04.04.2022** under Sections **279/304/427** of the Indian Penal Code.

Allowed

And

In Re : Anech Sk

..... petitioner

Mr. Prabir Majumder

..... for the petitioner

Mr. Prasun Kumar Dutta, Ld. A.P.P.

Mr. Subrato Roy

Mr. Santanu Deb Roy

..... for the State

Petitioner is in custody for 108 days. It is submitted that the incident occurred in the course of a road traffic accident. Ingredients of offence punishable under Section 304 of the Indian Penal Code are not disclosed.

Learned lawyer for the State opposes the prayer for bail. He submits four persons had died in the course of the incident.

We have considered the materials on record. Keeping in mind the nature of allegations in the light of the submission that ingredients of offence punishable under Section 304 of the Indian Penal Code are not disclosed and the period of detention suffered by the petitioner, we are inclined to grant bail to him.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Krishnagar, Nadia on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

Accordingly, the prayer for bail of the petitioner is allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)