

15.07.2022
Item No.35
Court No.28
CHC
Allowed

CRM (DB) 2336 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.495/2022 dated 24.05.2022 under Sections 341/326/307 of the Indian Penal Code.

-And-

In the matter of : **Goutam Ghosh**

... .. Petitioner

Mr. Subir Debnath, Advocate
Mr. Rana Ray, Advocate

... .. For the Petitioner

Mr. Binay Panda, Advocate
Ms. Puspita Saha, Advocate

... ...For the State

Petitioner is in custody for 51 days. Investigation is complete.

It is contended that incident occurred in the course of sudden quarrel between brothers.

Learned advocate for the State opposes the prayer for bail.

We have considered the materials on record. The allegation of quarrel requires to be assessed in the light of the aforesaid submission that the incident occurred in the course of a sudden quarrel between brothers.

Hence, we are of the view that further custodial detention of the petitioner is not necessary and he may be granted bail.

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, 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.)