

24.08.2022.
23.
as
(Partly
Allowed).

C.R.M. (DB) 2832 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gaighata P. S. Case No.489 of 2022 dated 29.05.2022 under Sections 341/326/307/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

In the matter of : Sayandip Halder & Ors.

... Petitioners.

Mr. Susnigdho Bhattacharyya.

...for the Petitioners.

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty.

.....for the State.

Heard the learned Advocates appearing for the parties.

Learned Advocate for the petitioner submits they are in custody for 88 days.

Learned Advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the injured witness implicating the petitioner no.3 as the principal assailant.

In view of the aforesaid fact, we are not inclined to grant bail to the petitioner No.3 at this stage.

Accordingly, the prayer for bail of the petitioner no.3 is rejected.

However, in view of the extent of complicity of the petitioner Nos.1 and 2 in the alleged crime, we are inclined to grant bail to the petitioner Nos.1 and 2.

Accordingly, the petitioner Nos.1 and 2 shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Bongaon, North 24-Paraganas subject to condition that they 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 Nos.1 and 2 fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their 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.)