

25.08.2022
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allowed

CRM(DB) No. 2870 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Taherpur Police Station Case No. 69 of 2022 dated 28.02.2022 under Sections 447/325/307/379/506/34 of the Indian Penal Code.

And

In Re : Mithun Chakraborty @ Chotka petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder
.....for the petitioner

Mr. Prasun Kumar Dutta, learned APP
Mr. Santanu Deb Roy
Md. Kutubuddin
..... for the State

Learned Counsel for the petitioner submits he is in custody for 40 days. It is also submitted that there was a free fight between the parties and case and counter case were registered.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. Nature of allegations requires to be assessed in the light of the aforesaid submission made on behalf of the petitioner. Under such circumstances and bearing in mind the period of detention suffered by the petitioner, we are inclined in granting bail to him.

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, Nadia, on condition that he shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)