

29.08.2022
Sl. No.30
akd
[ALLOWED]

C. R. M. (DB) 2895 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.08.2022 in connection with Bhimpur Police Station Case No.145 of 2022 dated 22.04.2022 under Sections 341/326/307 of the Indian Penal Code.

And

In Re: ***Shyamal Ghosh***

... .. Petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder

... .. for the petitioner

Mr. Prasun Kr. Datta .. Id. Addl. Public Prosecutor
Mr. Santanu Deb Roy

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 115 days. Investigation is complete.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record including the medical report. Whether the petitioner intended to murder the victim requires to be assessed in the light of the attending circumstances during trial. Balancing the nature of accusation with the period of detention suffered by the petitioner and as investigation is complete, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Shyamal Ghosh***, 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, Krishnanagar, Nadia subject to condition that the said

petitioner 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 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.

The application for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)