

08.09.2022.
16.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3037 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nowda P. S. Case No.162 of 2021 dated 13.07.2021 under Sections 323/325/308/506/34 of the Indian Penal Code.

In the matter of : Tablu Biswas @ Toblu Sk.
.... Petitioner.

Mr. Kishore Dutta, Sr. Adv.,

Mr. Soumik Ganguly,
Mr. Diptendu Banerjee.
...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id.P.P.,
Ms. Faria Hossain,
Mr. Anand Keshri.
...for the State.

Petitioner is in custody for 56 days. It is contended there was a free fight and he has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Incident occurred in the course of a free fight. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Murshidabad at

Berhampore subject to condition that he 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 fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)