

20.09.2022
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allowed

CRM(DB) No. 3171 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. 118 of 2022 dated 08.02.2022 under Sections 341/326/307 of the Indian Penal Code.

And

In Re : Joydev Roy @ Rana petitioner

Ms. Sananda Bhattacharyya

Ms. Kaberi Mukherjee

.....for the petitioner

Ms. Zareen N. Khan

Md. Kutubuddin

..... for the State

Learned Counsel for the petitioner submits he is in custody for 58 days. It is also submitted that incident occurred in the course of a drunken brawl. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. Medical report shows that the victim was drunk. This corroborates the defence plea that the incident occurred in the course of a drunken brawl.

In view of the aforesaid circumstances and 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

District and Sessions Judge, 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)