

04.11.2022
Sl. No.16
akd
[ALLOWED]

C. R. M. (DB) 3524 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.09.2022 in connection with Nakashipara Police Station Case No. 177 of 2022 dated 20.03.2022 under Sections 302/34 of the Indian Penal Code.

And

In Re: ***Sanjit Mandal***

... .. Petitioner

Mr. Arindam Jana
Mr. Sumanta Das

... .. for the petitioner

Ms. Faria Hossain
Mr. Anand Kesari

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 183 days. It is further submitted there was a scuffle between the parties and the victim fell down and suffered injuries.

Learned advocate appearing for the State opposes the prayer for bail and submits prayer for bail of co-accuseds was rejected in June, 2022.

We have considered the materials on record including the statements of witnesses. There was a scuffle between the parties when the incident occurred. Keeping in mind the facts and circumstances of the case and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Sanjit Mandal***, 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 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**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)