

29.09.2022.  
135.  
as/tkm  
(Allowed)

**C.R.M. (DB) 3452 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra P. S. Case No.426 of 2022 dated 17.07.2022 under Section 341/325/326/307/506 of the Indian Penal Code.

In the matter of : Biswajit Pal.

.... Petitioner.

Mr. P. Majumder.

...for the Petitioner.

Mr. S. S. Imam,  
Mr. S. Kundu.

...for the State.

Petitioner is in custody for 76 days. He submits 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 including the medical reports. Whether the petitioner intended to murder the victim requires to be assessed in the factual matrix of the case during trial.

Under such circumstances and in view of 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 Additional Chief Judicial Magistrate, Krishnanagar,

Nadia 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.

The application for bail is, thus, disposed of.

**(Ajay Kumar Gupta,J.)**

**(Joymalya Bagchi, J.)**