

03.11.2022.
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as
(Allowed)

C.R.M. (DB) 3509 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangarampur P. S. Case No.273 of 2022 dated 27.05.2022 under Sections 341/323/326/34 of the Indian Penal Code and adding Section 307 of the Indian Penal Code.

In the matter of : Rased Ali Mir & Ors.

.... Petitioners.

Ms. Busra Khatoon.

...for the Petitioners.

Mr. Binay Panda,
Ms. Puspita Saha.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Keeping in mind the facts and circumstances of the case, we are of the opinion whether the injury on the victim was life threatening or not requires to be assessed during trial.

Under such circumstances and the period of detention suffered by the petitioners i.e. 75 days, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur subject to condition that they 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 petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their 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.)