

10.11.2022  
34  
sdas  
allowed

**CRM(DB) No. 3919 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Krishnagar Kotwali Police Station Case No. 503 of 2022 dated 21.05.2022 under Sections 326/307/34 of the Indian Penal Code.

And

In Re : Netai Mondal ..... petitioner

Mr. Prabir Majumder  
Mr. Snehansu Majumder  
.....for the petitioner

Mr. Prasun Kumar Datta, learned APP  
Mr. Nirupam Dhali  
..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 83 days. He prays for bail. Co-accuseds have been granted anticipatory bail.

Learned Counsel appearing for the State opposes the prayer for bail and submits petitioner is the principal accused.

We have considered the materials on record including the injury report. Whether injuries are life threatening may be assessed in the course of trial. Other offences are triable by the learned Magistrate. In view of the aforesaid circumstances and period of detention suffered by the petitioner, we are inclined to grant bail to him.

Accordingly, we direct that 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, Nadia at

Krishnagar, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

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

**(Joymalya Bagchi, J.)**