

21.11.2022
Sl. No.35
akd
[ALLOWED]

C. R. M. (DB) 4047 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.11.2022 in connection with Taherpur Police Station Case No. 212 of 2019 dated 12.09.2019 under Sections 447/325/308/506/34 of the Indian Penal Code.

And

In Re: ***Rabi Majhi***

... .. Petitioner

Ms. Sananda Bhattacharyya

... .. for the petitioner

Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 77 days. It is further submitted co-accuseds have been granted bail/anticipatory bail.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner had absconded for a period of time.

We have considered the materials on record. Petitioner was not named in the FIR. It is contended there was a free fight between the parties. Keeping in mind the aforesaid facts, we are of the opinion further detention of the accused/petitioner is not necessary and he may be enlarged on bail however, subject to strict conditions.

Therefore, the accused/petitioner, namely ***Rabi Majhi***, 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 Chief Judicial Magistrate, Ranaghat, 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 and on further condition that the petitioner, while on

bail, shall not leave the jurisdiction of Taherpur Police Station except for the purpose of attending court proceedings and shall report to the Officer-in-charge of the said police station once in a week until further orders.

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.)