

30.11.2022
Sl. No.21
akd
[ALLOWED]

C. R. M. (DB) 4202 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.11.2022 in connection with Gangnapur Police Station Case No. 479 of 2022 dated 20.09.2022 under Sections 341/325/307 of the Indian Penal Code.

And

In Re: ***Kamal Biswas***

... .. Petitioner

Mr. Sumanta Das

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor

Mr. Parthapratim Das

Mrs. Manasi Roy

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 70 days. It is further submitted there was a free fight between the parties and case and counter-case came to be registered.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Allegation of attempt to murder requires to be assessed in the light of the submission there was a free fight between the parties and case and counter-case came to be registered. Under such circumstances and in view of 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 ***Kamal Biswas***, 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.

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.)