

30.11.2022
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allowed

CRM(DB) No. 4230 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ashoknagar Police Station Case No. 972 of 2022 dated 10.10.2022 under Sections 341/326/307/34 of the Indian Penal Code.

And

In Re : Md. Joynal Abedin @ Md. Jaynal Abadin & Anr. petitioners

Mr. Subhabrata Chowdhury
Mr. Biswajit Goswami
Ms. Thirti Pandey
Ms. Rishita Ghosh

.....for the petitioners

Mrs. Zareen N. Khan
Mr. Arup Sarkar

..... for the State

Learned Counsel appearing for the petitioners submits they are in custody for 50 days. It is also submitted that there was a fight amongst family members. Petitioners pray for bail.

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

We have considered the materials on record. Keeping in mind the aforesaid facts and circumstances of the case including nature of injuries and the period of detention suffered by the petitioners, we are inclined to grant bail to them.

Accordingly, we direct that 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 Chief Judicial Magistrate, North 24-Parganas at Barasat, on condition that petitioners 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 petitioners fail to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)