

30.11.2022  
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allowed

**CRM(DB) No. 4231 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranitala Police Station Case No. 267 of 2022 dated 29.06.2022 under Sections 341/325/307/34 of the Indian Penal Code subsequently charge-sheet submitted under Sections 341/325/307/34 of the Indian Penal Code.

And

In Re : Masadul Haque @ Masudal Karim ..... petitioner

Md. G. N. Imrohi  
.....for the petitioner

Mr. Saibal Bapuli, learned APP  
Mr. Bibaswan Bhattacharya  
..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 30 days. It is also submitted that there was a free fight. Case and counter case were registered between the parties.

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

We have considered the materials on record. Allegation of attempt to murder the victim requires to be assessed in the light of the submission that case and counter case were registered between the parties. Under such circumstances, we are inclined to grant bail to the petitioner.

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 Additional Chief Judicial Magistrate, Lalbag, Murshidabad, subject to condition that 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.)**