

05.12.2022
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allowed

CRM(DB) No. 4259 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Police Station Case No. 731 of 2022 dated 15.10.2022 under Sections 341/326/307/354/34 of the Indian Penal Code.

And

In Re : Biswajit Ganguly petitioner

Ms. Sananda Bhattacharyya
.....for the petitioner

Mr. Swapan Banerjee
Mr. Suman De
..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 51 days. It is also submitted that there was a free fight between the parties over cutting of trees. Petitioner prays for bail.

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

We have considered the materials on record. There was a free fight between the parties. Keeping in mind the aforesaid fact and period of detention suffered by him, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner viz. Biswajit Ganguly 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, Ranaghat, Nadia, 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.)