

05.12.2022
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allowed

CRM(DB) No. 4268 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Deganga Police Station Case No. 624 of 2022 dated 02.10.2022 under Sections 341/325/327/506/34 of the Indian Penal Code and adding Section 307 of the Indian Penal Code.

And

In Re : Nazrul Sardar @ Pintu & Ors. petitioners

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

.....for the petitioners

Mr. S. S. Ima
Mr. Rajes Jana

..... for the State

Heard the learned Counsels appearing for the parties.

We have considered the materials on record. Case and counter case were registered. Allegation of attempt to murder requires to be assessed in the light of the circumstance.

In view of the aforesaid fact and the period of detention suffered by the petitioners i.e. 65 days, we are inclined to grant bail to them.

Accordingly, we direct that the petitioners viz. Nazrul Sardar @ Pintu, Nasiruddin Sardar and Basiruddin Sardar @ Basir Sardar 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 Additional Chief Judicial Magistrate, Barasat, North 24-Paganas, 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.)