

19.12.2022.
23.
as
(Allowed)

C.R.M. (DB) 4440 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Debra P. S. Case No.262 of 2022 dated 23.05.2022 under Sections 323/307/354B/506/420/34 of the Indian Penal Code.

In the matter of : Madan Manna @ Madan Chandra
Manna & Ors.

.... Petitioners.

Mr. Rajdeep Bhattacharya.

...for the Petitioners.

Mr. Binay Panda,
Ms. Puspita Saha.

...for the State.

Mr. Ivan Roy,
Sk. Abdur Rahim.

...for the de-facto complainant.

Petitioners are in custody for 80 days. There is a civil dispute by and between the parties. He has been falsely implicated in the instant case. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

Learned Advocate for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. A civil suit is pending by and between the parties. Keeping in mind the aforesaid fact and as possibility of false implication due to prior enmity cannot be ruled out, we are inclined to grant bail to the petitioner.

Accordingly, the petitioners viz., Madan Manna @ Madan Chandra Manna, Buddhadeb Manna and Niyoti Manna 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, Paschim Medinipur subject to condition that they 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 the petitioners fail to appear before the Trial Court without any 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, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)