

23.12.2022.
39.
as
(Allowed)

C.R.M. (DB) 4549 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliganj P. S. Case No.302 of 2022 dated 13.05.2022 under Sections 341/325/326/307/34 of the Indian Penal Code.

In the matter of : Sahidul Sk. @ Sohidul Sk. & Anr.
.... Petitioners.

Mr. Prabir Majumder,
Mr. S. Majumder.
...for the Petitioners.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharya.
...for the State.

Petitioners are in custody for 210 days. It is submitted there was a free fight between the parties. Both the parties suffered injuries.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Whether the petitioners had intention to commit murder has to be seen in the light of the aforesaid circumstances during trial.

Under such circumstances, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners viz., Sahidul Sk @ Sohidul Sk. & Ajj Sk. @ Abdul Ajj Sk @ Ajj 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, Nadia at Krishnanagar 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.)