

23.12.2022
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allowed

CRM(DB) No. 4594 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala Police Station Case No. 766 of 2022 dated 01.11.2022 under Sections 341/307/506 of the Indian Penal Code.

And

In Re : Avijit Biswas @ Abhijit petitioner

Mr. Prabir Majumder

Ms. Sangeeta Chakraborty

.....for the petitioner

Mr. Prasun Kumar Datta, learned APP

Mr. Santanu Deb Roy

Md. Kutubuddin

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 47 days. Investigation is complete. He prays for bail.

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

We have considered the materials on record. Whether the injuries are life threatening requires to be assessed during trial. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to him.

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, 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.)