

06.01.2023
Sl. No.12
akd
[ALLOWED]

C. R. M. (DB) 21 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.12.2022 in connection with Kushmandi Police Station Case No.167 of 2021 dated 06.10.2021 under Sections 448/427/325/326/307/379/506/34 of the Indian Penal Code. (G.R. Case No.912 of 2021)

And

In Re: ***Ajit Roy & Anr.***

... .. Petitioners

Mr. Kaushik Choudhury
Ms. Busra Khatoon

... .. for the petitioners

Mr. S. S. Imam
Mr. S. Kundu

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about 43 days.

Learned Advocate for the State opposes the prayer for bail.

We have considered the injury report. Whether the petitioners attempted to murder requires to be assessed during trial. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioners, we are of the opinion further detention of the accuseds/petitioners is not necessary.

Therefore, the accuseds/petitioners, namely **(1) Ajit Roy & (2) Surojit Roy**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur subject to condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)