

11.01.2023
tkm/ct 28
sl no. 56

C.R.M. (DB) 100 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Malda P.S case no. 440 of 2021 dated 7.9.2021 under sections 341/323/34 the IPC and section 8 of the POCSO Act

Allowed In Re : Pravat Mandal andpetitioner

Mr. A Karmakar
Mr. A K Bhowmick

..... for the petitioner
Mr. Anindya Sundar Chatterjee
..... for the State

Petitioner is in custody for more than one year. It is submitted he has been falsely implicated due to a local dispute. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 CJM Malda on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 100 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)