

17.01.2023
Sl. No.18
akd
[ALLOWED]

C. R. M. (DB) 159 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.01.2023 in connection with Kaliganj Police Station Case No.226 of 2022 dated 14.04.2022 under Sections 341/325/308/354/34 of the Indian Penal Code and subsequently charge sheet submitted under Sections 447/325/326/307/34 of the Indian Penal Code.

And

In Re: ***Ijjajul Mallick***

... .. Petitioner

Md. Sabir Ahmed

... .. for the petitioner

Mr. Binay Panda
Mrs. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 92 days. It is further submitted there is a civil dispute between the parties. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. There is a civil dispute between the parties. Whether the injury is life-threatening requires to be assessed during trial. Keeping in mind the aforesaid facts and as investigation is complete, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Ijjajul Mallick***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 the said petitioner 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 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 for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)