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(Allowed)

C.R.M. (DB) 224 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P. S. Case No.72 of 2020 dated 12.02.2020 under Section 306 of the Indian Penal Code.

In the matter of : Habib Sk.

.... Petitioner.

Mr. Rajdeep Majumder,
Mr. Khalid Hasan,
Mr. Abhijit Singh.

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Santanu Deb Roy.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Three witnesses have been examined. Petitioner is in custody for three years. Offence attracts term imprisonment.

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 viz., Habib Sk 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 he 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 petitioner fails to appear before the Trial Court without any 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, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)