

24.01.2023
Sl. No.41
akd
[ALLOWED]

C. R. M. (DB) 285 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.01.2023 in connection with Basirhat Police Station Case No.353 of 2021 dated 16.05.2021 under Sections 341/323/326/308 of the Indian Penal Code.

And

In Re: ***Baharam Sk. @ Tutul***

... .. Petitioner

Mr. Kallol Kumar Basu
Mr. Jannat-ul-Firdous
Ms. Tithi Majumder

... .. for the petitioner

Mr. S. S. Imam
Mr. R. Jana

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 303 days.

Learned Advocate 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 of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Baharam Sk. @ Tutul***, 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 Additional Chief Judicial Magistrate, Basirhat, North 24-Parganas 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.)