

31.01.2023
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allowed

CRM(DB) No. 361 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 1177 of 2022 dated 22.11.2022 under Sections 448/325/307/376/511/354B/354/506/509 of the Indian Penal Code.

And

In Re : Ashok Choudhury petitioner

Mr. Prabir Majumder

Mr. Snehansu Majumder

.....for the petitioner

Mr. Rudradipta Nandy, learned APP

Ms. Sonali Das

Mr. Subroto Roy

..... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. We find the allegation of physical assault on the father-in-law of the de facto complainant is not supported by medical evidence. Under such circumstances and in view of the period of detention suffered by him, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)