

01.02.2023
Sl. No.42
akd
[ALLOWED]

C. R. M. (DB) 369 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.01.2023 in connection with Balurghat Police Station Case No.858 of 2022 dated 12.12.2022 under Sections 447/353/333/186/307 of the Indian Penal Code and subsequently charge sheet submitted under Sections 447/186/353/332/307 of the Indian Penal Code. (G.R. Case No.2380 of 2022)

And

In Re: ***Subhash Sarkar @ Subhash Kumar Sarkar***
... .. Petitioner

Ms. Busra Khatun
... .. for the petitioner

Mr. Swapan Banerjee
Mrs. Purnima Ghosh
... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Injuries are simple in nature. Whether the petitioner attempted to murder the victim requires to be assessed during trial. Keeping in mind the aforesaid facts, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Subhash Sarkar @ Subhash Kumar Sarkar***, 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, Dakshin Dinajpur 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.)