

08.02.2023
Sl. No.32
akd
[ALLOWED]

C. R. M. (DB) 385 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.01.2023 in connection with Ratua Police Station Case No.511 of 2022 dated 18.09.2022 under Sections 341/326/307/34/302 of the Indian Penal Code. (G.R. Case No.2599 of 2022)

And

In Re: **Saiyed Irsad**

... .. Petitioner

Mr. Soupal Chatterjee
Ms. Sucheta Banerjee

... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Ayantika Roy

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 145 days. It is further submitted there was a free fight. Petitioner also suffered injuries. Investigation is complete.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Petitioner has suffered injuries during the incident. Investigation is complete. Keeping in mind the aforesaid facts and 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 **Saiyed Irsad**, 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, Chanchal, Malda 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.)