

03.02.2023
Sl. No.37
akd
[ALLOWED]

C. R. M. (DB) 419 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.01.2023 in connection with Taherpur Police Station Case No.556 of 2022 dated 01.12.2022 under Sections 447/323/324/325/308/506/34 of the Indian Penal Code.

And

In Re: ***Papai Sarkar***

... .. Petitioner

Ms. Sananda Bhattacharyya

... .. for the petitioner

Mr. Shiladitya Banerjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 60 days. It is further submitted petitioner has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record including the injury report. Injuries do not appear to be life-threatening. Under such circumstances and in view of 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 ***Papai 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia 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.)