

10.02.2023
SI. No.44
akd
[ALLOWED]

C. R. M. (DB) 567 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.02.2023 in connection with Dhubulia Police Station Case No.338 of 2022 dated 28.08.2022 under Sections 341/325/326/506/34 of the Indian Penal Code.

And

In Re: ***Intajul Gain @ Intajul Sk. @ Entajul Shaikh***
... .. Petitioner

Mr. Ali Ahsan Alamgir
Ms. Rabia Khatoon
Ms. June Modak

... .. for the petitioner

Mr. Prasun Kr. Datta .. Id. Addl. Public Prosecutor
Mr. Santanu Deb Roy

... .. for the State

It is submitted on behalf of the petitioner that there was a free fight between the parties. Case and counter-case were registered.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. There was a free fight between the parties. Case and counter-case were registered. Whether the injuries are life-threatening may be assessed during trial. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Intajul Gain @ Intajul Sk. @ Entajul Shaikh***, 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, Nadia at Krishnanagar 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.)