

CRM(DB) No. 681 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Palashipara Police Station Case No. 326 of 2022 dated 11.09.2022 under Sections 302/34 of the Indian Penal Code.

And

In Re : Kajal Sk. @ Intazul Sk. petitioner

Mrs. Karabi Roy

.....for the petitioner

Mrs. Zareen N. Khan

Mr. Arup Sarkar

..... for the State

Learned Counsel for the petitioner submits he is in custody for 160 days. Co-accuseds are on bail. Investigation is complete. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Co-accuseds are on bail. Balancing the nature of accusation with the period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to him.

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, Tehatta, Nadia, subject to condition that the 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.)