

13.03.2023.
131.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 861 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nakashipara P. S. Case No.221 of 2022 dated 29.03.2022 under Sections 341/325/326/307/302/34 of the Indian Penal Code.

In the matter of : Asrab @ Asraf Sk. & Anr.

.... Petitioners.

Mr. S. Ghosh.

...for the Petitioners.

Mr. Rudradipta Nandy, ld. A.P.P.,
Mrs. Sonali Das.

...for the State.

Petitioners are in custody for 95 days. There was a free fight between two groups. Investigation is complete. Co-accuseds are on bail. They pray for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Allegations are general and omnibus. Investigation is complete. Co-accuseds are on bail.

Hence, we are inclined to grant bail to the petitioners also.

Accordingly, the petitioners viz., Asrab @ Asraf Sk and Imajuddin Sk. @ Emajuddin Sk. shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Chief Judicial Magistrate, Krishnagar, Nadia subject to condition that they 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 the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)