

21.03.2023
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allowed

CRM(DB) No. 1014 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No. 815 of 2022 dated 15.10.2022 under Sections 326/307 of the Indian Penal Code.

And

In Re : Tushar Ali Mallick petitioner

Mr. Asraf Mandal

....for the petitioner

Mr. P. K. Datta, learned APP

Mr. Santanu Deb Roy

..... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Whether the injuries are life threatening may assessed in the light of the circumstances during trial. Balancing the nature of accusation with the period of detention suffered by the petitioner, 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 Chief Judicial Magistrate, Nadia at Krishnanagar, subject to the condition that 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.)