

23.03.2023
tkm/ct 28
sl no. 48

C.R.M. (DB) 1073 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Krishnagar Kotwali PS case no. 1119 of 2022 dated 27.10.2022 under sections 302/34 IPC
and

Allowed

In Re : Arindam Nandi @ Riju

..... petitioner

Mr. Y J Dastoor, Sr. Adv
Mr. Prabir Majumder
Ms. S Chakraborty

..... for the petitioner

Mr. R D Nandy
Mr. Subrato Roy

..... for the State

Petitioner is in custody for 136 days. It is submitted that the incident occurred in the course of a sudden quarrel. No overt act is attributed to him. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Incident occurred on the day of immersion of Kali idol. Victim had gone to a lane to urinate. A dispute arose. Assault is attributed to one Khokon Sk.

Keeping in mind the aforesaid facts, extent of complicity of the petitioner in the alleged crime, period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 CJM, Nadia at Krishnagar on condition that the petitioner shall appear before the trial court on every date of hearing 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 being CRM (DB) 1073 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)