

11.04.2023
tkm/ct 28
sl no. 70

C.R.M. (DB) 1445 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with English Bazar PS case no. 374 of 2023 dated 13.2.2023 under sections 323/326/354/448/506/34 IPC adding section 307 IPC

And

Allowed

In Re : Abdul Kader & Anr.

..... petitioners

Ms. M Gomes
Mr. M Alam Sk
Ms. S Ghorai

..... for the petitioners

Mr. Prasun Datta
Mr. S D Roy

..... for the State

Heard learned lawyer for the parties.

We have considered the materials on record including the injury report. Though the injury is on a vital part of the body i.e. head it does not appear to be life threatening

Under such circumstances and in view of the period of detention suffered by the petitioner i.e about a month, 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, Malda 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) 1445 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)