

04.05.2023
Sl. No.15
akd
[ALLOWED]

C. R. M. (DB) 1580 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.04.2023 in connection with Ranitala Police Station Case No.43 of 2023 dated 05.02.2023 under Sections 447/326/307/34 of the Indian Penal Code and subsequently charge sheet submitted under Sections 447/324/307/34 of the Indian Penal Code. (G.R. Case No.345 of 2023)

And

In Re: ***Asit Mandal @ Asit Mondal***

... .. Petitioner

Md. Golam Nure Imrohi

... .. for the petitioner

Mr. Prasun Kr. Datta .. Id. Addl. Public Prosecutor

Mr. Santanu Deb Roy

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 52 days. Co-accused has been enlarged on bail. Investigation is complete. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Whether the injuries are life-threatening may be assessed during trial. Co-accused has been enlarged on bail. Investigation is complete. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Asit Mandal @ Asit Mondal***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad subject to condition that the said petitioner 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 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 for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)