

25.04.2023
Sl. No.34
akd
[ALLOWED]

C. R. M. (DB) 1649 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.04.2023 in connection with Margram Police Station Case No.130 of 2022 dated 29.06.2022 under Sections 341/326/307/506 of the Indian Penal Code.

And

In Re: ***Ujjal Mal***

... .. Petitioner

Mr. Asraf Ali
Mr. Golam Mohiuddin
Ms. Puja Mondal

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Mr. Parthapratim Das
Mrs. Manasi Roy

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 295 days. It is further submitted trial has not commenced as yet. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits injuries are serious.

We have considered the materials on record. Though the petitioner is in custody for a considerable time, trial has not commenced. Balancing the nature of accusation with 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 ***Ujjal Mal***, 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, Rampurhat, Birbhum 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.)