

28.04.2023.
31.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1727 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Shibpur P. S. Case No.346 of 2022 dated 25.10.2022 under Sections 341/326/307 of the Indian Penal Code.

In the matter of : Guddu Prajapati.

.... Petitioner.

Mr. Wasim Reza.

...for the Petitioner.

Ms. Faria Hossain,
Mr. Anand Keshari.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Though injuries are severe, there is no possibility of trial commencing in the near future.

Balancing the nature of accusation with the period of detention suffered by the petitioner i.e. 182 days and as there is no chance of abscondence, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Guddu Prajapati 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, Howrah subject to condition that he 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 and on further condition that the petitioner while on bail shall not enter the jurisdiction of

Shibpur Police Station and shall provide the address where he shall reside to the Investigating Officer as well as the court below and report to the Officer-in-charge of the Police Station concerned within whose jurisdiction he shall reside once in a week until further orders.

In the event the petitioner fails to appear before the Trial Court without any 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, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)