

11.05.2023
Sl. No.29
akd
[ALLOWED]

C. R. M. (DB) 1755 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 Ranaghat Police Station Case No.57 of 2023 dated 03.02.2023 under Sections 333/353/354/325/326/307/34 of the Indian Penal Code.

And

In Re: **Gourav Saha**

... .. Petitioner

Ms. Sananda Bhattacharyya

... .. for the petitioner

Mr. Swapan Banerjee

Mr. Anindya Sundar Chatterjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 97 days. It is further submitted there was a sudden altercation during puja. Investigation is complete. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits petitioner and others had brutally assaulted police personnel who suffered injuries.

We have considered the materials on record. Incident occurred in course of a sudden altercation. Though injuries were caused on vital parts of the body, victims did not suffer any fracture or internal damage. They have also recovered. Investigation is complete. Keeping in mind the aforesaid facts and 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 **Gourav Saha**, 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, Ranaghat, Nadia 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.)