

02.05.2023
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allowed

CRM(DB) No. 1775 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khanakul Police Station Case No. 163 dated 13.07.2020 under Sections 341/323/324/325/326/307/506/34 of the Indian Penal Code.

And

In Re : Sintu Manna & Anr..... petitioners

Mr. Anindya Halder
Sk. Zubair Ahmed

....for the petitioners

Mr. Binay Panda
Ms. Rita Datta

.... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Petitioners were on bail earlier. Due to miscommunication they failed to attend the trial proceeding. Warrant was issued against them. They surrendered and were arrested. They are in custody for more than a month. Incident occurred in the course of a fight between the co-sharers. Keeping in mind the aforesaid facts we are of the opinion further detention of the petitioners is not necessary and they may be released on bail subject to strict conditions.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly, on further condition that the petitioners shall meet the Officer-in-Charge, Khanakul Police Station once in

a week until further orders and they shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)