

11.05.2023
Sl. No.45
akd
[ALLOWED]

C. R. M. (DB) 1877 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.05.2023 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: ***Sujoy Ghosh @ Joy Ghosh & Anr.***

... .. Petitioners

Mr. Prabir Majumder
Mr. Snehansu Majumder

... .. for the petitioners

Mr. Binay Panda
Ms. Puspita Saha

... .. for the State

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

Learned Advocate for the State opposes the prayer for bail and submits petitioners 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 petitioners, we are of the opinion further detention of the petitioners is not necessary.

Therefore, the petitioners, namely ***(1) Sujoy Ghosh @ Joy Ghosh & (2) Somnath Dey***, be released on bail upon furnishing a bond

of Rs.10,000/- (Rupees Ten thousand only) each, 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 petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)