

12.05.2023
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allowed

CRM(DB) No. 1888 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 349 of 2022 dated 18.04.2022 under Sections 448/326/354B/307/34 of the Indian Penal Code.

And

In Re : Samarendu Gayali petitioner

Mr. Asraf Mandal

....for the petitioner

Mr. Rudradipta Nandy, learned APP

Mrs. Sonali Das

.... for the State

Learned Counsel for the petitioner submits he is in custody for 100 days. He prays for bail.

Learned Counsel for the State opposes the bail prayer.

We have considered the materials on record. There is delay in lodging FIR. Keeping in mind the aforesaid fact and the nature of injury, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia, subject to conditions that petitioner 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 petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)