

07.07.2023
D/L 20
Ct. No.28
allowed
(SKB)

CRM (DB) 1902 of 2023

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No. 778/2022 dated 06.10.2022 under Sections 302/34 of the Indian Penal Code

And

In the matter of : Gosto Santra

... Petitioner

Mr. Prabir Majumder,
Mr. Snehansu Majumder

... for the petitioner

Ms. Zareen N. Khan,
Md. Kutubuddin

... for the State

Petitioner is in custody for 134 days. It is submitted there was a sudden quarrel between the parties and the petitioner and co-accused did not intend to murder the victim. Co-accused are on bail. He prays for bail.

Learned advocate for the State opposes bail prayer.

Heard learned advocates for the parties.

We have considered the materials on record. Petitioner stands on the same footing with co-accused who are on bail.

Under such circumstances, we extend the same privilege to the petitioner also. Further custodial detention of the petitioner for progress of investigation is not necessary.

Accordingly, petitioner namely Gosto Santra 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 CJM, 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 being CRM (DB) 1902 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)