

15.05.2023
35
sdas
allowed

CRM(DB) No. 1914 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. 233 of 2023 dated 15.04.2023 under Sections 341/323/325/326/504/506/34 of the Indian Penal Code.

And

In Re : Somnath Chowdhury & Ors. petitioners

Mr. Suddhadev Adak

Ms. Arpita Moindal

....for the petitioners

Mr. Debabrata Chatterjee, learned APP

Mr. Santanu Chatterjee

Ms. Mausumi Sarkar

.... for the State

Learned Counsel for the petitioners submits they are in custody for 30 days.

Learned Counsel for the State opposes the prayer for bail including the injury report.

We have considered the materials on record. Keeping in mind the nature of injury and period of detention suffered by the petitioners, we are inclined to grant bail to them.

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, subject to conditions that petitioners 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.)