

03.07.2023
Sl. No.107
akd
[ALLOWED]

C. R. M. (DB) 2433 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.06.2023 in connection with Chanditala Police Station Case No.556 of 2019 dated 21.12.2019 under Sections 341/326/307/120B/34 of the Indian Penal Code.

And

In Re: **Sk. Faruk**

... .. Petitioner

Mr. Arup Kumar Bhowmick

... .. for the petitioner

Ms. Faria Hossain

Mr. Anand Kesari

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about two months. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Whether the injuries are life-threatening may be assessed during trial. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Sk. Faruk**, 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 Additional Chief Judicial Magistrate, Serampore, Hooghly 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 for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)