

04.07.2023
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allowed

CRM(DB) No. 2613 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Salar Police Station Case No. 121 of 2023 dated 16.05.2023 under Sections 341/323/325/307/34 of the Indian Penal Code.

And
In Re : Rasid Sk. petitioner

Mr. Pratip Kumar Chatterjee
....for the petitioner

Mr. Noguive Ahmed, learned APP
Ms. Amita Gaur
.... for the State

Mr. Navanil De
Mr. Rajeshwar Chakraborty
Mr. Srinjan Ghosh
Mr. Subhrajit Dey
Ms. Monami Mukherjee
.... for de facto complainant

Heard the learned Counsel for the parties.

We have considered the materials on record including the injury report. Whether the injuries are life threatening may be assessed during trial. Keeping in mind period of detention suffered by the petitioner, we are inclined to grant bail to him subject to condition.

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 Additional Chief Judicial Magistrate, Kandi, Murshidabad, on further conditions that the petitioner shall not enter the district of Salar Police Station except for the purpose of attending court proceedings and shall provide the address where

he shall presently reside to the investigating agency as well as court below and shall meet the Officer-in-Charge of the police station concerned within whose jurisdiction he shall presently reside once in a week until further orders. He 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.)