

04.07.2023
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allowed

CRM(DB) No. 2615 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Harishchandrapur Police Station Case No. 851 of 2021 dated 18.11.2021 under Sections 341/326/307/34 of the Indian Penal Code.

And

In Re : Helal @ Helaluddin petitioner

Mr. Imdadul Hoque

....for the petitioner

Mr. Swapan Banerjee

Mr. Anindya Sundar Chatterjee

.... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. There was free fight between the parties. Whether 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 inclined to grant bail to him.

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, Chanchal, Malda, 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.)