

04.07.2023
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allowed

CRM(DB) No. 2620 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ratua Police Station Case No. 511 of 2022 dated 18.09.2022 under Sections 341/326/307/34 of the Indian Penal Code and adding Section 302 of the Indian Penal Code.

And
In Re : Saiyad Kurban petitioner

Mr. Soupal Chatterjee
Mr. Anupam Das
Ms. Sucheta Banerjee
.....for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta
.... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. It is submitted that there was a free fight between the parties. Petitioner and his associates also suffered injuries. Co-accused, Saiyed Irsad has been enlarged on bail. Under such circumstances, we are inclined to grant bail to the petitioner.

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.)