

07.07.2023
D/L 29
Ct. No.28
allowed
(SKB)

CRM (DB) 2692 of 2023

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Jiaganj Police Station Case No. 101 of 2023 dated 17.04.2023 under Sections 341/326/307/34 of the Indian Penal Code

And

In the matter of : Bhajan Biswas

... Petitioner

Mr. Asim Kumar Chakroborti

... for the petitioner

Mr. Joydeep Roy,
Ms. Sujata Das

... for the State

It is submitted petitioner is not the principal accused. He is in custody for 76 days. Investigation is complete. He prays for bail.

Learned advocate for the State opposes the bail prayer.

We have considered the materials on record. Injury is grave and has resulted in loss of eye sight. But petitioner does not appear to be the main accused.

Keeping in mind the aforesaid facts and as investigation is complete, we are of the opinion further detention of the petitioner is not necessary.

Under such circumstances we are inclined to grant bail.

Accordingly, petitioner namely Bhajan Biswas 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 ACJM, Lalbagh, Murshidabad 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 being CRM (DB) 2692 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)