

16.08.2023
Sl. No.26
akd
[ALLOWED]

C. R. M. (DB) 2851 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.07.2023 in connection with Taherpur Police Station Case No.219 of 2023 dated 14.05.2023 under Sections 436/427/34 of the Indian Penal Code.

And

In Re: ***Sukchand Halder***

... .. Petitioner

Ms. Minoti Gomes

... .. for the petitioner

Mr. Abhra Mukherjee

Mr. Dipankar Mahata

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 60 days. It is further submitted he has been falsely implicated. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioner and others had set fire to a dwelling house.
3. We have considered the materials on record. No one suffered injuries in the incident. Investigation is complete. 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.
4. Therefore, the accused/petitioner, namely ***Sukchand Halder***, 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, Ranaghat, Nadia 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.

5. 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.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)