

02.08.2023
Serial no. 2
[G.S.D]

CRM (SB) 152 of 2023

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with G.R. Case No. 708 of 2023 arising out of Murshidabad Police Station Case No. 172 of 2023 dated 07.03.2023 under Sections 325/308 of the IPC.

-And-

In the matter of : Abdul Lahi Baki Sk @ Abdullahil Baki Sk @ Abdullahil Baki

... .. Petitioner

Mr. Niladri Sekhar Ghosh
Mr. Tapadip Gupta
Mr. Sourav Mondal

... .. For the Petitioner

Mr. Saswata Gopal Mukherjee
Mr. Binay Panda
Ms. Puspita Saha

... ..For the State

Learned Advocate for the petitioner submits that the petitioner is in custody for about 44 days and there has been a case and counter case wherein injuries were suffered by both the parties. The petitioner and the defacto-complainant happens to be family relatives.

Additionally, it has been prayed that on any stringent condition, the petitioner may be released on bail.

Mr. Panda, Learned Advocate for the State, produces the Case Diary of both the cases being Murshidabad P.S. Case No. 172 of 2023 and Murshidabad P.S. Case No. 165 of 2023 and opposes the prayer for bail of the petitioner.

I have considered the injury reports of both the cases.

Without going into the merits of the case and having regard to the period of detention of the present petitioner, I am inclined to release the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, Abdul Lahi Baki Sk @ Abdullahil Baki Sk @ Abdullahil Baki, shall be released on bail upon furnishing 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, Lalbagh, Murshidabad.

If on bail, the petitioner shall meet with the Investigating Officer of the case once in a week for a period of three months. If the petitioner intends to leave the district of Murshidabad, in that case, the petitioner would seek permission of the Learned ACJM, Lalbagh, Murshidabad. In case, the petitioner is involved in tampering with the evidence, in that case, the Learned ACJM, Lalbagh, Murshidabad would be entitled to cancel the bail without further reference to this Court.

Accordingly, CRM(SB) 152 of 2023 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)