

**27.07.2023**

Sl. No.25

**as**

[ALLOWED]

**C. R. M. (DB) 2973 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.07.2023 in connection with Dhantala Police Station Case No.291 of 2023 dated 22.04.2023 under Sections 448/326/307/354B/379/34 of the Indian Penal Code.

And

In Re: **Sanjay Saha**

... ... Petitioner

Ms. Minoti Gomes

... ... for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

... ... for the State

It is submitted on behalf of the petitioner that he is in custody for over a month. It is further submitted there was a free fight between the parties. Case and counter-case had been registered. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. There was a free fight between the parties. Case and counter-case were registered. Whether the injuries are life-threatening may be assessed during trial. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to him.

Therefore, the petitioner, namely **Sanjay Saha**, 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.

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 for bail, thus, stands allowed.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**