

03.08.2023
Sl. No.29
akd
[ALLOWED]

C. R. M. (DB) 3079 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.07.2023 in connection with Santipur Police Station Case No.349 of 2023 dated 10.04.2023 under Sections 447/326/307/506/34 of the Indian Penal Code.

And

In Re: ***Nibash Sandel***

... .. Petitioner

Mr. Sayan De
Mr. Kaustuv Shome
Mr. Sayan Kanjilal

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mrs. Sonali Das

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 91 days. It is further submitted there are case and counter-case between the parties. Investigation is complete. Accordingly, he prays for bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. There are case and counter-case between the parties. Whether the injuries are life-threatening may be assessed during trial. Investigation is complete. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Nibash Sandel***, 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)