

26.09.2023.
29.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3374 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore P.S. Case No.744 of 2023 dated 07.06.2023 under Sections 447/325/326A/506/34 of the Indian Penal Code.

In the matter of : **Bhola Roy**.

.... Petitioner.

Mr. Navanil De,
Mr. Rajeshwar Chakraborty,
Mr. Srinjan Ghosh,
Mr. Subhrajit Dey,
Ms. Monami Mukherjee.

...for the Petitioner.

Mr. Rudradipta Nandy, ld. A.P.P.,
Ms. Sonali Das,
Mr. Subrata Roy.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is in custody for 92 days. Injury is not life threatening.
3. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner viz., **Bhola Roy** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Murshidabad at Berhampore subject to condition that he 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)