

05.09.2023
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allowed

CRM(DB) No. 3472 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhimpur Police Station Case No. 102 of 2023 dated 01.04.2023 under Sections 384/386/406/417/420/120B/379/323/325/308/506/34 of the Indian Penal Code.

And

In Re : Buddhadeb Biswas petitioner

Mr. Sagar Saha
Mr. Subir Debnath
Ms. Roma Roy

....for the petitioner

Mr. Prasun Kumar Datta, learned APP
Mr. Santanu Deb Roy

..... for the State

1. Learned Counsel for the petitioner submits principal accused has been granted anticipatory bail. Offence relates to dispute over ancestral property. Petitioner is in custody for 78 days. He prays for bail.

2. Learned Counsel for the State produces the case diary.

3. We have considered the materials on record. Keeping in mind the extent of complicity of the petitioner in the crime and the period of detention suffered by him we are inclined to grant bail to him.

4. Accordingly, we direct that the petitioner 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, Nadia, subject to condition that petitioner shall appear before the trial

court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)