

06.09.2023
tkm/ct 28
sl no. 26

C.R.M. (DB) 3479 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Domkal P.S case no. 281 of 2023 dated 2.5.2023 under sections 341/326/307/34 IPC
and

Allowed

In Re : Basen Sk @ Basen Ali Sk ... petitioner

Md. G N Imrohi

..... for the petitioner

Mr. Prasun Kr. Datta

Mr. S Deb Roy

..... for the State

1. Petitioner is in custody for 125 days. He submits investigation is complete. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer. He submits victim suffered grievous injury.
3. We have considered the materials on record. Investigation is complete. There is no chance of abscondence. 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 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 CJM, Murshidabad at Berhampore on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
5. 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.

6. The application being CRM (DB) 3479 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)