

26.09.2023.
36.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3708 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pukhuria P.S. Case No.427 of 2022 dated 04.10.2022 under Sections 448/323/325/307/34 of the Indian Penal Code and adding Section 302 of the Indian Penal Code.

In the matter of : **Jhallu Mahaldar @ Samal Mahaldar @ Samol Mahaldar.**

.... Petitioner.

Mr. Musharraf Alam Sk.

...for the Petitioner.

Ms. Zareen N. Khan,
Md. Kutubuddin.

...for the State.

1. Petitioner is in custody for 143 days. He is not the principal accused. Co-accused Lalchan Mahaldar has been enlarged on bail. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner is not the principal accused. Co-accused viz., Lalchan Mahaldar similarly circumstanced with petitioner has been enlarged on bail.
4. Hence, we are inclined to extend the same relief to the petitioner also.
5. Accordingly, the petitioner viz., **Jhallu Mahaldar @ Samal Mahaldar @ Samol Mahaldar** 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 Additional Chief Judicial Magistrate, Chanchal,

Malda 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.

6. 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.)