

06.10.2023
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allowed

CRM(DB) No. 3863 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 398 of 2023 dated 24.07.2023 under Sections 147/148/149/325/326/307/506/34 of the Indian Penal Code and Sections 3/4 of the E.S. Act.

And
In Re : Jiarul Sk. petitioner

Mr. Usof Ali Dewan
Mr. Asif Dewan
....for the petitioner

Mr. Rudradipta Nandy, learned APP
Mr. Subroto Roy
.... for the State

1. Learned Counsel for the petitioner submits there was a political skirmish prior to the Panchayet election. Injuries were suffered by the associates of the petitioner. He has been falsely implicated. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Allegations against the petitioner are general and omnibus. He was also injured. Under such circumstances and in view of period of detention suffered by the petitioner, 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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad, 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 automatically without further reference to this Court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)