

10.10.2023
Sl. No.66
akd
[ALLOWED]

C. R. M. (DB) 3923 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.10.2023 in connection with Raninagar Police Station Case No.398 of 2023 dated 24.07.2023 under Sections 147/148/149/325/326/307/34 of the Indian Penal Code and Sections 3/4 of the Explosive Substances Act. (G.R. Case No.2408 of 2023)

And

In Re: **Mainuddin Sk. & Ors.**

... .. Petitioners

Mr. Sagar Saha
Mr. Nurnobi Seikh

... .. for the petitioners

Mr. Swapan Banerjee
Mr. Anindya Sundar Chatterjee

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about 78 days. It is further submitted there was a skirmish prior to Panchayat election. Co-accused has been enlarged on bail. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Injuries were suffered by both the parties. Co-accused similarly circumstanced with the petitioners has been enlarged on bail. Under such circumstances and in view of the period of detention suffered by the petitioners, we are of the opinion further detention of the petitioners is not necessary.
4. Therefore, the petitioners, namely **(1) Mainuddin Sk., (2) Saidul Sk., (3) Alamgir Sk. @ Nantu & (4) Rejabul Sk. @ Rejaul Islam,** be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, 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 the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)