

16.10.2023
Sl. No.55
akd
[ALLOWED]

C. R. M. (DB) 4032 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.10.2023 in connection with Palashipara Police Station Case No.251 of 2023 dated 14.08.2023 under Sections 341/326/307/506/34 of the Indian Penal Code and Sections 3/4 of the Explosive Substances Act.

And

In Re: ***Bablu Rahaman @ Balu Mondal & Ors.***

... .. Petitioners

Mrs. Karabi Roy

... .. for the petitioners

Ms. Zareen N. Khan

Mr. Arup Sarkar

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for more than 50 days. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record including the injury report. Whether the injuries are life-threatening may be assessed during trial. Balancing the nature of accusation with the period of detention suffered by the petitioners, we are of the opinion their further detention is not necessary.
4. Therefore, the petitioners, namely ***(1) Bablu Rahaman @ Balu Mondal, (2) Nurjjaman Mondal @ Nuruzzaman Mondal & (3) Yashin Sk. @ Pujari***, 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, Tehatta, Nadia 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.)