

18.10.2023.
41.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4095 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malipanchghara P.S. Case No.169 of 2023 dated 10.08.2023 under Sections 326/307/379/34 of the Indian Penal Code.

In the matter of : **Aditya Singh @ Aditya Singh.**

.... Petitioner.

Mr. Subhasish Pachhal.

...for the Petitioner.

Mr. Joydeep Roy, Id. Jr. Govt. Adv.,
Ms. Sujata Das.

...for the State.

1. Petitioner is a college student and is in custody for about 70 days. He contends he has been falsely implicated. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits petitioner had assaulted the victim and snatched his valuables.
3. We have considered the materials on record. Incident occurred in the course of a sudden quarrel. It is to be ascertained during trial whether the conduct of the petitioner was premeditated or he was prompted by the unruly behaviour and/or provocation by the victim and others. Whether the injury is life threatening shall also be assessed during trial.
4. Bearing in mind the aforesaid facts and the period of detention suffered by the petitioner and his young age, we are inclined to grant bail to the petitioner.

5. Accordingly, the petitioner viz., **Aditya Singh @ Aditya Singh** 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 Chief Judicial Magistrate, Howrah 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.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)