

16.11.2023.
15.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4145 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala P.S. Case No.635 of 2023 dated 02.09.2023 under Sections 341/325/326/307/34 of the Indian Penal Code.

In the matter of : **Pappu Mondal**.

.... Petitioner.

Ms. Minoti Gomes,
Ms. Dona Sanyal.

...for the Petitioner.

Mr. Abhra Mukherjee,
Mr. Dipankar Mahata.

...for the State.

1. Petitioner submits incident occurred in the course of a sudden quarrel regarding cutting of bamboo shoots. Petitioner is in custody for about 74 days. He prays 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. Incident occurred without premeditation in the course of a sudden quarrel.
4. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Pappu Mondal** 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, Ranaghat, Nadia 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.)