

19.12.2023
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allowed

CRM(DB) No. 4532 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mothabari Police Station Case No. 215 of 2023 dated 06.07.2023 under Sections 341/326/307 of the Indian Penal Code.

And

In Re : Abu Taleb petitioner

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Majumder

....for the petitioner

Mr. Sudip Ghosh, learned APP
Mr. Dipankar Mahata

.... for the State

Mr. Arghya Chakraborty
Mr. Rafiqul Islam

.... for de facto complainant

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. Petitioner is in custody for six months. There is no chance of abscondence. Investigation is complete. Balancing the nature of accusation with the period of detention suffered by the petitioner we are inclined to grant bail to the petitioner.
3. 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 Chief Judicial Magistrate, Malda, subject to conditions 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.

4. 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 in accordance with law without further reference to this Court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)