

15.12.2023

Item No.3

Ct. No. 5

CHC
(Allowed)

C.R.M.(DB) 4590 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Suti** Police Station Case No. **208** of **2020** dated **27.05.2020** under Sections **448/325/308/379/34** of the Indian Penal Code.

And

In the matter of: Mosim Khan & ors.

..... petitioners

Mr. Bikash Ranjan Bhattacharya, Sr. Advocate
Mr. Sabyasachi Chatterjee,
Mr. Omar Faruk Gazi,
Mr. Kiron Sk,
Mr. Badrul Karim

....for the petitioner

Mr. Pravas Bhattacharya,
Ms. Pritha Paul

....for the State

Petitioners are in custody for about 100 days.

Police filed charge-sheet.

The injury suffered apparently appears not to be of grievous hurt.

Apparently, a free fight occurred between two groups over setting up of tarpaulin in respect of structure.

Considering the period of detention, the gravity of the offence and the fact that police filed charge-sheet, we grant bail to the petitioners.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad, subject to the condition that the petitioners 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.

In the event the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioners without further reference to this Court.

Prayer for bail of the petitioners is allowed.

CRM(DB) 4590 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)