

22.12.2023
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allowed

CRM(DB) No. 4751 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhubulia Police Station Case No. 30 of 2022 dated 14.01.2022 under Sections 302/34 of the Indian Penal Code.

And
In Re : Rakibul Sk. Petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder
.....for the petitioner

Mr. Ranabir Roychowdhury
Sk. Arif Hossain
.... for the State

1. Learned Counsel for the petitioner submits he is in custody for 138 days. Co-accused are on bail. Incident occurred in the course of a sudden quarrel. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer.

3. We have considered the materials on record. Co-accused has been granted bail. Accordingly, we are inclined to grant bail to the petitioner also.

4. 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, Nadia at Krishnanagar, 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.

5. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)