

22.12.2023
tkm/ct 28
sl no. 57

C.R.M. (DB) 4775 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Sabang PS case no. 245 of 2023 dated 1.9.2023 under sections 341/323/325/307/506/34 IPC and section 25/27 of the Arms Act and adding section 326 IPC
and

Allowed

In Re : Biswajit Jana &Ors

..... petitioners

Mr. S Das Mahapatra

Mr. S Adhikary

..... for the petitioners

Mr. Sandip Chakraborty

..... for the State

1. Petitioners submit that the allegation of use of fire arms has not yet been established. They pray for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Investigation is complete. Whether the injuries are life threatening may be assessed during trial.
4. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioners i.e 111 days and 94 days respectively, we are inclined to grant bail to the petitioners however, subject to conditions.
5. Accordingly, the petitioners 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 CJM, Paschim Medinipur on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioners

shall meet the Officer-in-Charge, Sabang PS once in a week until further orders.

6. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

7. The application being CRM (DB) 4775 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)