

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

27.02.2023.
104/tkm

C.R.M. (DB) 96 of 2023

In Re : An application for bail under section 439 of the Code of
Criminal Procedure in connection with Matigara P.S case no. 527
of 2022 dated 9.5.2022 under sections 326/307 IPC
and

Allowed

In Re : Bharat Bhusan Mandal petitioner

Mr. A Paul

..... for the petitioner

Mr. Ujjwal Luksom

Mr. D Sil

..... for the State

Petitioner is in custody for 290 days. He renews his
prayer for bail.

Learned lawyer for the State opposes the bail prayer.

Learned lawyer for the de facto complainant also opposes
the bail prayer.

We have considered the materials on record. Balancing
the nature of accusation with the period of detention suffered
by the petitioner and as there is little possibility of trial
concluding in near future, we are inclined to grant bail to the
petitioner.

Accordingly, the petitioner 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 ACJM, Siliguri on condition that the petitioner shall appear
before the trial court on every date of hearing and shall not
intimidate witnesses or tamper with evidence in any manner
whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 96 of 2023 is disposed of.

(Subhendu Samanta,J.)

(Joymalya Bagchi, J.)