

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

15.12.2023.
12/tkm

C.R.M. (DB) 709 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with New Jalpaiguri P.S case no. 1092 of 2023 dated 30.10.2023 under sections 341/385/326/307/34 of the IPC

and

Allowed

In the matter of : Pankaj Sen & Anr. Petitioners

Mr. B Roy

...for the Petitioners

Mr. A S Chakraborty, Id APP

Mr. S Mishra

...for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. There was a free fight between the parties and case and counter case were registered.
3. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioners i.e. 45 days, we are inclined to grant bail to the petitioners.
4. 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, Jalpaiguri 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.

5. 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.

6. The application being CRM (DB) 709 of 2023 is disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)