

22.01.2024
31
sdas
allowed

CRM(DB) No. 156 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nabadwip Police Station Case No. 540 of 2023 dated 20.09.2023 under Sections 341/326/302/34 of the Indian Penal Code.

And

In Re : Sujoy Debnath petitioner

Mrs. Karabi Roy

....for the petitioner

Ms. Z. N. Khan

Ms. Baisali Basu

.... for the State

1. Learned Counsel for the petitioner submits victim suffered head injury due to a fall. Accordingly he prays for bail.

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

3. We have considered the materials on record. History of incident in the medical papers shows the victim suffered injury due to a fall. Taking note of such fact co-accused Shibam Ghosh has been enlarged on bail. Petitioner stands on the same footing and is also entitled to similar relief.

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 Additional Chief Judicial Magistrate, Nabadwip, subject to condition that petitioner shall appear before the trial court on every date of hearing until further orders and

shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event petitioner fails to appear before the trial court without any 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)