

25.01.2024.
39.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 226 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sainthia P.S. Case No.292 of 2023 dated 01.11.2023 under Sections 341/324/326/307 of the Indian Penal Code.

In the matter of : **Nadirul Haque.**

.... Petitioner.

Mr. Sanjib Kr. Dan,
Mr. Saryati Datta,
Mr. Chitrak Biswas.

...for the Petitioner.

Mr. Debasish Roy, Id. P.P.,
Mr. Navanil De.

...for the State.

1. Petitioner submits he has been falsely implicated. He is in custody for 84 days. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He contends petitioner had assaulted the victim girl and another. She suffered severe injuries.
3. We have considered the materials on record. Petitioner had attacked the victim and another. Victim suffered injuries. Investigation is complete. There is no chance of abscondence.
4. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Nadirul Haque** 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,

Birbhum at Suri subject to condition that he 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 and on further condition that the petitioner while on bail shall not enter the jurisdiction of Sainthia Police Station except for the purpose of court proceeding and shall provide the address where he shall reside to the Investigating Officer as well as the court below and report to the Officer-in-charge of the Police Station concerned within whose jurisdiction he shall reside once in a week until further orders.

6. 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.

7. This application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)