

13.02.2024

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Allowed

C.R.M. (DB) No. 232 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jiaganj Police Station Case No. 101 of 2023 dated 17.04.2023 under Sections 341/326/307/34 of the Indian Penal Code.

And

In Re : Prakash Biswas & Anr. petitioners

Ms. Minoti Gomes

.....for the petitioners

Mr. Swapan Banerjee

Ms. Sujata Das

.....for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioners are in custody for 40 days. Co-accused are on bail.

There is no chance of abscondence. Under such circumstances, we are inclined to grant bail to the petitioners.

3. Accordingly, we direct that the petitioners shall 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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad, subject to conditions that petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

4. In the event petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

5. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)