

07.02.2024
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allowed

CRM(DB) No. 380 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khanakul Police Station Case No. 458 of 2023 dated 10.07.2023 under Sections 147/148/149/143/448/323/325/326/427/354/506/504/34 of the Indian Penal Code.

And

In Re : Sarfaraj Ali Khan @ Sarfaraj Khan petitioner

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Mr. Sourov Mondal
Ms. Labani Sikder

....for the petitioner

Mr. Prasun Kumar Datta, learned APP
Mr. Bibaswan Bhattacharya

.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioner is in custody for 34 days. Injuries are simple and not life threatening. Under such circumstances, we are inclined to grant bail to the petitioner.

3. 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, Arambagh, Hooghly, subject to conditions that petitioner 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 the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his 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.)