

21.02.2024.
42.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 537 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra P.S. Case No.917 of 2023 dated 29.11.2023 under Sections 302/34 of the Indian Penal Code.

In the matter of : **Mahadev Biswas.**

.... Petitioner.

Mr. Kusal Kr. Mukherjee,
Ms. Suchismita Dutta.

...for the Petitioner.

Mr. Suman De.

...for the State.

Mr. Karabi Roy.

...for the de-facto complainant.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is in custody for 86 days. Co-accused is on bail.
3. Under such circumstances, further detention of the petitioner is not required and he may be released on bail.
4. Accordingly, the petitioner viz., **Mahadev Biswas** 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, Nadia, Krishnanagar subject to condition that they 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 Chapra 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.

5. In the event the 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. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)