

29.02.2024  
Sl. No.76  
**akd**  
[ALLOWED]

**C. R. M. (DB) 578 of 2024**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.02.2024 in connection with Santipur Police Station Case No.1215 of 2023 dated 25.10.2023 under Sections 304/506/302 of the Indian Penal Code and subsequently charge sheet submitted under Sections 341/302/506/34 of the Indian Penal Code.

And

In Re: **Gokul Sarkar**

... .. Petitioner

Mr. Sourav Chatterjee  
Mr. Abir Ranjan Neogi  
Mr. Karan Bapuli

... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor  
Ms. Baisakhi Chatterjee

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 126 days. It is further submitted incident occurred in course of a sudden quarrel. Petitioner was unarmed. Investigation is complete. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail.
3. We have considered the materials on record. Incident occurred in course of a sudden quarrel. Petitioner had pushed the victim and hit him with a brick which he had picked up from the roadside. Whether he intended to murder the victim is to be assessed in the light of the aforesaid circumstances during trial. There is no chance of abscondence of the petitioner. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Gokul Sarkar**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten

thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to condition that the said 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**