

06.03.2024
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allowed

CRM(DB) No. 728 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgarrh Police Station Case No. 80 of 2023 dated 16.10.2023 under Sections 341/325/302/34 of the Indian Penal Code.

And

In Re : Shaktipada Bhui @ Kartick Bhui petitioner

Mr. Soumyajit Das Mahapatra

Ms. Madhurai Sinha

....for the petitioner

Mr. Madhusudan Sur, learned APP

Mr. Arup Sarkar

.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioner is in custody for 111 days. Incident occurred in the course of a sudden quarrel. Petitioner is not the principal accused. Co-accused, similarly circumstanced with the petitioner, have been enlarged on bail. 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 Chief Judicial Magistrate, Jhargram, 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)