

13.03.2024  
tkm/ct 28  
sl no. 35

**C.R.M. (DB) 805 of 2024**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bhimpur P.S case no. 31 of 2024 dated 2.2.2024 under sections 447/341/326/325/307/34 IPC  
and

**Allowed** In Re : Akshay Das & Anr. ... petitioners

Mr. Amanul Islam  
Mr. Sourav Mukherjee  
..... for the petitioners  
  
Ms. Z N Khan  
Ms. Jonaki Saha  
..... for the State

1. It is submitted on behalf of the petitioners that there was a free fight between family members over cultivation of land. They have been falsely implicated in the case. They pray for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. It is contended there was free fight between family members. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioners i.e. 36 days we are inclined to grant bail to the petitioners.
4. Accordingly, the petitioners 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 CJM Nadia at Krishnanagar on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

6. The application being CRM (DB) 805 of 2024 is disposed of.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**