

03.04.2024
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allowed

CRM (DB) No. 981 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Purbasthali Police Station Case No. 274 of 2023 dated 19.12.2023 under Sections 341/325/326/307/302/34 of the Indian Penal Code.

And
In Re : Nur Nabi Sk. & Anr. petitioners

Mr. Atanu Bisas
Mr. Mrinal Saha
....for the petitioners

Ms. Amita Gaur
Ms. Rita Datta
.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioners are in custody for 107 days. They are not the principal accused. Co-accused, similarly circumstanced with the petitioners are on bail. Under such circumstances, we are inclined to grant bail to the petitioners.

4. Accordingly, we direct that the petitioners shall 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 Additional Chief Judicial Magistrate, Kalna, Purba Bardhaman, subject to conditions that petitioners 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.

5. In the event the petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)