

05.04.2024.
24.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1010 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagardighi P.S. Case No.353 of 2023 dated 03.08.2023 under Sections 447/323/325/326/506/34 of the Indian Penal Code and charge sheet submitted under Sections 447/323/325/326/307/506/34 of the Indian Penal Code.

In the matter of : **1) Mamudal Hossain @ Masudal Hossain @ Masadul Hassan @ Mamudal Hasen @ Masadul Hasen;**
2) Anarul Islam @ Anarul Haque and
3) Basir Sk @ Abdul Basir.
.... Petitioners.

Mr. Tapodip Gupta.

...for the Petitioners.

Mr. Arindam Sen,
Mr. Sagnik Mukherjee.

...for the State.

1. Petitioners are in custody for 54 days. They submit they have been falsely implicated. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. We have also examined the injury report and the medical papers. Whether the injury is life threatening requires to be assessed in the course of trial. Investigation is complete. There is no chance of abscondence.
4. Under such circumstances, we are inclined to grant bail to the petitioners.
5. Accordingly, 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, Jangipur, Murshidabad 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.

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

7. This application for bail is, thus, disposed of.

(Gaurang Kanth,J.)

(Joymalya Bagchi, J.)