

12.04.2024
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allowed

CRM (DB) No. 1082 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 431 of 2023 dated 10.08.2023 under Sections 341/326/307/506/34 of the Indian Penal Code.

And

In Re : Mondal Altab Hossain @ Altab Sk. & Anr. petitioners

Ms. Soma Mal

....for the petitioners

Mr. Arijit Ganguly

Mr. Atanu Ghosh

.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioners are in custody for 67 days. Whether the injuries are life threatening may be assessed during trial. Balancing the nature of accusation with the period of detention suffered by the petitioners, we are inclined to grant bail to them.

3. 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, Lalbagh, Murshidabad, 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.

4. In the event the petitioners fails 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)