

25.04.2024
Sl. No.20
akd
[ALLOWED]

C. R. M. (DB) 1295 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.04.2024 in connection with Panrui Police Station Case No.164 of 2023 dated 27.11.2023 under Sections 341/323/324/307/504/34 of the Indian Penal Code.

And

In Re: **Sk. Lal Mahammad & Anr.**

... .. Petitioners

Mr. Siddhartha Ruj

... .. for the petitioners

Mr. Provash Bhattacharya
Mr. Arabinda Manna

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about 150 days. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record including the injury report. Whether the injuries are life-threatening may be assessed at the appropriate stage of the proceeding. Balancing the nature of accusation with the period of detention suffered by the petitioners, we are of the opinion further detention of the petitioners is not necessary.
4. Therefore, the petitioners, namely **(1) Sk. Lal Mahammad & (2) Sk. Rejaul**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Suri, Birbhum subject to condition that the said petitioners 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.

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 for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)