

02.05.2024
Sl. No.32
akd
[ALLOWED]

C. R. M. (DB) 1356 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.04.2024 in connection with Santipur Police Station Case No.1468 of 2023 dated 24.12.2023 under Sections 341/326/307 of the Indian Penal Code. (G.R. Case No.5084 of 2023)

And

In Re: **Prabir Biswas**

... .. Petitioner

Ms. Dona Sanyal

... .. for the petitioner

Ms. Minoti Gomes
Mr. Abhinaba Mukherjee

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about four months. It is further submitted petitioner has been falsely implicated. Accordingly, he prays 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 during trial. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Prabir Biswas**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to condition that the said petitioner 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)