

03.5.2024
Ct. No. 28
SL No. 38
SB

C.R.M. (DB) 1405 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Rahara P.S. Case No. 443 of 2023 dated 27.11.2023 under Sections 307/326 of the Indian Penal Code.

And

In the matter of: Sk. Rafiq @ Sk. Rafique @ Rafique @ Sk. Rafik

Mr. Koustav Bagchi

Mr. Debayan Ghosh

Ms. Priti Kar

...for the Petitioner

Ms. Faria Hossain

Ms. Manasi Roy

....for the State

1. Heard the learned lawyers for the parties.
2. We have considered the materials on record whether injuries are life threatening may be assessed during trial. Balancing the nature of accusation and period of detention suffered that is 51 days, we are inclined to grant bail to the petitioner.
3. Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned A.C.J.M. Barrackpore, North 24 Parganas subject to the condition that the 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.
4. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail automatically without any further reference to this Court.
5. The application for bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)