

07.8.2024
Ct. No. 6
SL No. 28
SB

C.R.M. (DB) 2439 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Singur** P.S. Case No. 143 of 2024 dated 01.4.2024 under Sections 341/342/323/325/354B/504/506/509/376/511/34 of the Indian Penal Code.

And

In the matter of: Uday Chand Barman & Anr.

Mr. Bitasok Banerjee
Mr. Abdus Salam ... for the petitioners

Ms. Sonali Das
Mr. Saibal Krishna Das Gupta ... for the State

1. Affidavit of service is taken on record.
2. Heard the learned lawyers for both the parties.
3. In spite of service, nobody appears for the victim.
4. Petitioners submit there was dispute between the victim who used to work as a help in the house and the family of the petitioners. Out of grudge he has been falsely implicated. He prays for bail.
5. Learned lawyer for the State opposes the prayer for bail.
6. We have considered the materials on record including the statement of the victim. It appears, there was dispute between the parties. Possibility of false implication owing to prior dispute cannot be ruled out. There is no chance of abscondence.
7. Under such circumstances, we are inclined to grant bail to the petitioner.
8. 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, Chandannagore, Hooghly

subject to the condition that the petitioners shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

9. 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 without any further reference to this Court.
10. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)