

11.09.2024
Ct. No. 06
SL No. 63
S.De

C.R.M. (DB) 2732 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 in connection with **Barasat P.S. Case No. 910 of 2023** under **Sections 341/326/307/34/302** of the Indian Penal Code.

And

In the matter of: **Bhabesh Thakur**.

Mr. Souvik Mitter,
Ms. Pratiti Das, ...for the Petitioner.

Mr. Avishek Sinha,
Ms. Suparna Chatterjee,for the State.

1. Petitioner is in custody for more than five months. He has been implicated due to on suspicion, co accused is on bail. He prays for bail.
2. Learned advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Oral dying declaration does not implicate the petitioner. Co-accused Prabal Kumar Pradhan is on bail.
4. Under such circumstances, we are inclined to enlarge the petitioner on bail.
5. Accordingly, we direct the petitioner viz. **Bhabesh Thakur** 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 Chief Judicial Magistrate, North 24-parganas subject to the condition that the petitioner 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.

6. 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 without any further reference to this Court.

7. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)