

12.11.2024
Sl. No.64
akd
[PARTLY
ALLOWED]

C. R. M. (DB) 3713 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 04.11.2024 in connection with Kaliyaganj Police Station Case No.269 of 2024 dated 30.06.2024 under Sections 341/326/307/120B of the Indian Penal Code. (G.R. Case No.1420 of 2024)

And

In Re: **Bhadru Ray & Anr.**

... .. Petitioners

Mr. Somnath Adhikary
Mr. Jisan Iqbal Hossain

... .. for the petitioners

Ms. Sayanti Santra
Mr. Saptarshi Chakraborty

... .. for the State

1. Heard learned Advocates for both the parties.
2. We have considered the materials on record. Petitioner no.1 is the principal accused who assaulted the victim resulting in amputation of his hand. Hence, we are not inclined to grant bail to petitioner no.1 namely, **(1) Bhadru Ray** at this stage.
3. However, keeping in mind the extent of complicity of petitioner no.2 in the alleged crime and as possibility of his holding the victim as a defensive act cannot be ruled out, we are of the opinion further detention of petitioner no.2 is not necessary.
4. Therefore, the petitioner no.2, namely **(2) Sanjay Roy**, 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 Chief Judicial Magistrate, Uttar Dinajpur at Raiganj 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.)