

24.01.2024

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Allowed

C.R.M. (DB) No. 4350 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dholahat Police Station Case No. 106 of 2023 dated 09.03.2023 under Sections 341/447/325/326/307/302/506/34 of the Indian Penal Code.

And

In Re : Sannyashi Naskar petitioner

Mr. Tanmoy Basu
Mr. Ambika Sasmal
Md. Aasif Iqbal

.....for the petitioner

Mr. Bidyut Kumar Roy
Ms. Rita Datta

.....for the State

1. Medical report submitted in Court is placed on record.

2. Report shows petitioner is suffering from degenerative aortic valve changes. He was present at the place of occurrence but he is not the principal accused.

3. In view of health condition of the petitioner and extent of complicity in the offence, we are inclined to grant bail to him.

4. Accordingly, we direct that 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 Additional Chief Judicial Magistrate, Kakdwip, South 24-Parganas, subject to conditions

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 petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)