

05.01.2024
Sl. No.45
akd
[ALLOWED]

C. R. M. (DB) 09 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.12.2023 in connection with Dhubulia Police Station Case No.30 of 2022 dated 14.01.2022 under Sections 302/34 of the Indian Penal Code.

And

In Re: ***Abul Sk. & Anr.***

... .. Petitioners

Mr. Prabir Majumder
Mr. Snehansu Majumder

... .. for the petitioners

Mr. Parthapratim Das
Mr. Goutam Banerjee

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about 148 days. Co-accused has been enlarged on bail. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Co-accused has been enlarged on bail. Petitioners stand on the same footing with the said co-accused. Under such circumstances and in view of the period of detention suffered by the petitioners, we are of the opinion further detention of the petitioners is not necessary.
4. Therefore, the petitioners, namely ***(1) Abul Sk. & (2) Piyar Sk. @ Pear Sk.***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnanagar subject to condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)