

24.12.2020
Sl. No.53
akd
[ALLOWED]

C. R. M. 10686 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.12.2020 in connection with English Bazar Police Station Case No. 316 of 2018 dated 03.04.2018 under Sections 364A/34 of the Indian Penal Code. (G.R. Case No.1332 of 2018)

And

In Re: ***Rajesh Mandal @ Bhadal***

... .. Petitioner

Mr. Mazhar Hossain Chowdhury .. Advocate

Md. Apzal Ansari .. Advocate

... .. for the petitioner

Mr. Sudip Ghosh .. Advocate

Mr. Apurba Kr. Datta .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 92 days. It is further submitted that co-accused namely, Paresh Mandal has been enlarged on bail.

Learned advocate appearing for the State opposes the prayer for bail.

Having considered the materials on record and in view of the extent of complicity of the petitioner in the alleged crime and as co-accused namely, Paresh Mandal has been enlarged on bail, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely ***Rajesh Mandal @ Bhadal***, 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, Malda 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.

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.

The application for bail, thus, stands **allowed**.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)