

29.07.2021
Item no. 65
Court No.32.
S.De.(s)
(Allowed)

(Via Video Conference)

CRM 3978 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 07.06.2021 in connection with Chakdaha Police Station Case No. 150 of 2021 Dated 05.04.2021 under Sections 436 of the Indian Penal.

And

In the matter of : Jayanta Mondal.

.....Petitioner.

Mr. Aniket Mitra, Advocate,
Md. Kalam, Advocate,

.....for the Petitioner.

Ms. Faria Hossain, Advocate,
Ms. Baisali Basu, Advocate,

.....for the State.

The allegation is that the petitioner fell in love with the complainant's daughter who is 16 years old. The petitioner is 21 years old. It is alleged that when the petitioner wanted to marry the complainant's daughter, the complainant rejected the proposal. Being angry, the petitioner set the complainant's house on fire.

We have considered the material in the case diary. We have seen the statement of a person said to be an

eyewitness, recorded under Section 161 of the Code of Criminal Procedure. We have also seen the seizure list.

Charge sheet has been filed. On an overall consideration of the material on record and the facts and circumstances of the case, we are of the view that further custodial detention of the petitioner, who has been in custody for 114 days, is no more necessary.

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 A.C.J.M., Kalyani and on further conditions that he shall remain within the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)