

CRM 5036 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dhantala Police Station** Case No. **192 of 2021** dated **06.05.2021** under Sections **302/34** of the Indian Penal Code.

- A n d -

In the matter of : Sabbir Hossen Mondal @ Bittu Mondal
.... Petitioner.

Mr. Soubhik Mitter,
Mr. Litan Maitra,
Ms. R. Das,

... For the Petitioner.

Mr. N. Ahmed,
Mr. T. Mitra,

... For the State.

The petitioner is the son of the deceased victim. The allegation is that the petitioner, his mother and wife along with other family members murdered the victim.

The State says that a blood-stained knife was recovered at the instance of the petitioner. The same has been sent for forensic examination but the report has not yet been received.

We have seen the material in the case diary. The State refers to statements of the petitioner and the neighbours. The statements of the neighbours are general in nature and do not specifically implicate the petitioner. Charge sheet has been submitted. The petitioner has been in custody for about 118 days.

We have also seen the inquest report. On an overall assessment of the material in the case diary and the possible degree of complicity of the petitioner in the alleged offence, we

are of the view that further custodial detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner, namely, **Sabbir Hossen Mondal @ Bittu Mondal** 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, Ranaghat, North 24 Parganas and on further conditions that he shall not leave 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.

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**