

07.12.2021  
SL No.30  
Saswata

**CRM 5515 of 2021**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Jangipara** P.S. Case No. **18/2021** dated **27.01.2021** under Sections **498A/302/34** of the Indian Penal Code.

And

In the matter of: **Israil Ali Mallick**

....Petitioner

Ms. Jeenia Rudra  
Mr. Sudip Ghosh Chowdhury  
Mr. Argha Das  
Mr. Abhishek Bose

...for the Petitioner

Ms. Faria Hossain  
Ms. Sonai Das

...for the State.

The petitioner is the younger brother-in-law of the deceased housewife. He is in custody for 190 days. He renews his prayer for bail on the ground that co accused Sk. Emran Ali @ Mintu Mallick has been granted pre arrest bail in CRM 2931 of 2021.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. The petitioner stands on the same footing with Sk. Emran Ali @ Mintu Mallick. The prayer for pre arrest bail has been allowed by a Coordinate bench of this Court after rejection of bail of the petitioner. Hence, we are inclined to reconsider the prayer for bail of the petitioner in the light of the changed circumstances. In the light of the aforesaid facts, prayer for bail of the petitioner is allowed.

Let the petitioner 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, Serampore, Hooghly subject to the condition that he shall appear before the learned trial court regularly on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail is, thus, disposed of.

**(Joymalya Bagchi, J.)**

**(Bivas Pattanayak, J.)**