

06.09.2021
Serial no. 14
Dd

(Through Video Conference)

CRM 5666 of 2021

In re : An Application for Bail under Section **439** of the Code of Criminal Procedure filed on **19.08.2021** in connection with **Krishnaganj** Police Station Case No. **09 of 2021** dated **12.1.2021** under **Sections 341/325/307/379** of the Indian Penal Code, subsequently added **section 302** of the Indian Penal Code.

And

In the matter of : Manik Mondal

...Petitioner

Mr. Prabir Majumder,
Mr. S. Majumdar, advocates
... ... For the Petitioner

Mr. Saibal Bapuli, Id. APP
Mr. Bibaswan Bhattacharya, advocates
... ...For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is the son of the deceased through first marriage. Father of the petitioner married twice. Subsequent to the second marriage, the deceased father used to mistreat the mother of the petitioner who was the first wife of the deceased father. During one of such incident of misbehaviour, the petitioner intervened.

Learned advocate appearing for the State submits that the petitioner is in custody in excess of 226 days. He submits that the police subsequently filed charge sheet in the case. He draws the attention of the court to the statement recorded under section 164 of the Criminal Procedure Code made by an eyewitness to the incident. He also draws the attention to the injury report as also to the post mortem report.

Considering the facts and circumstances of the case and the materials on record and considering the fact that the

police submitted charge sheet, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall 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, Nadia, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail is **allowed**.

CRM 5666 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)