

07.09.2021
Serial no. 9
Dd

(Through Video Conference)

CRM 5694 of 2021

In re : An Application for Bail under Section **439** of the Code of Criminal Procedure filed on **25.08.2021** in connection with **CrI. Misc. Case No. 2698 of 2021 vide G.R. Case No. 2342 of 2021** arising out of **Bhutni** Police Station Case No. **71 of 2021** dated **08.05.2021** under **Section 302** of the Indian Penal Code.

And

In the matter of : Dilip Mandal

...Petitioner

Mr. Kallol Mondal,
Mr. M.A. Sk.
Mr. Krishan Ray
Ms. Amrita Chel
Mr. Sourik Das, advocates
... .. For the Petitioner

Mr. Saibal Bapuli, Ld. P.P.,
Mr. Bibaswan Bhattacharya, advocates
... ...For the State

Petitioner seeks bail

Learned advocate appearing for the petitioner submits that the petitioner purchased a goat from his father-in-law and the incident took place with regard thereto. The petitioner is in custody since May 8, 2021. The police submitted charge sheet. No useful purpose will be subserved by keeping the petitioner in custody.

Learned advocate appearing for the State draws the attention of the court to the First Information Report and the Medical Report. He submits that the maker of the First Information Report is the sole witness.

Considering the facts and circumstances of the present case and considering the period of detention of the petitioner

and that the police submitted charge sheet, we 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, Malda 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 5694 of 2021, is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)