

27.10.2021.

Item No. 9

mns/ap (granted)

**C.R.M. 6043 of 2021
(via video conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.09.2021 in connection with Dhantala Police Station Case No. 192 of 2021 dated 06.05.2021 under Sections 302/34 of the Indian Penal Code.

And

In the matter of : **Doli Mondal.** ...petitioner

Mr. S. Bose,
Ms. Minoti Gomes,
Mr. L. Maitra.

...For the petitioner

Mr. Neguive Ahmed,
Md. Anwar Hossain.

..For the State

Learned Lawyer for the petitioner submits that the petitioner is in custody for 174 days. The co-accused, namely, Sabbir Hossen Mondal @ Bittu Mondal, who happens to be the son of the victim, has already been granted bail by a Co-ordinate Bench of this Court vide order dated September 2, 2021 in C.R.M. No. 5036 of 2021. Learned Lawyer points out that charge-sheet has already been submitted.

In such circumstances, learned Lawyer seeks bail for the petitioner.

Learned Lawyer appearing for the State vehemently opposes the prayer for bail.

We have gone through the materials in the case diary. We find that the co-accused, namely, Sabbir Hossen Mondal @ Bittu Mondal, the son of the victim, has

already been granted bail by a Co-ordinate Bench in C.R.M. No. 5036 of 2021.

Having considered all aspects of the matter, we are inclined to enlarge the petitioner on bail on the following conditions:

- (i) The petitioner may be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand only) with two sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate at Ranaghat, District – Nadia;
- (ii) The petitioner shall not make out any inducement, threat or promise to any person having direct knowledge of the incident so as to dissuade such person from disclosing the facts before any police officer or Court of law and/or tamper evidence in the meantime;
- (iii) The petitioner shall not leave the jurisdiction of Dhantala Police Station until further orders and shall attend the Trial Court on every date of hearing. If the petitioner fails to attend the Court without any justifiable grounds, the learned Trial Court will be at liberty to cancel the bail bond of the petitioner without any further reference to this Court.

Accordingly, the application for bail, being C.R.M. No. 6043 of 2021, is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(*Sabyasachi Bhattacharyya, J.*)

(*Rabindranath Samanta, J.*)