

23.11.2021
Serial no. 645
Dd

(Through Video Conference)

CRM 7351 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Raninagar** Police Station Case No. **415 of 2020** dated **21.10.2020** under **Sections 326/302/34** of the Indian Penal Code, corresponding to G.R. Case No. **3281 of 2020**.

-And-

In the matter of : Gonesh Mondal & Anr.
... ...Petitioners

Ms. Minoti Gomes, Advocate
... ... For the Petitioners

Mr. Rana Mukherjee, Id. APP
Ms. Sujata DAs,
Ms. Debjani Sahoo, Advocates
... ...For the State

Petitioners seek bail.

Learned advocate appearing for the petitioners submits that the petitioner no. 2 should be considered for bail at least as the petitioner no. 2 stands on the same footing as that of another co-accused Buddhu Mondal who was granted bail by the jurisdictional Court. She submits that considering the tenure of the detention of the petitioners, bail should be granted.

Learned Additional Public Prosecutor draws the attention of the Court to the statements recorded under Section 164 of the Criminal Procedure Code.

Considering the nature of the offences and the complicity of the petitioners therein as appearing from the case diary, we are inclined to grant bail to the petitioner

no. 2 Susmita Mondal, but we are not inclined to grant bail to the petitioner no. 1, Gonesh Mondal.

Accordingly, we direct that the petitioner no. 2 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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad subject to condition that the petitioner no. 2 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 no. 2 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 no. 2 in accordance with law without further reference to this Court.

The prayer for bail of petitioner no. 2 is **allowed** and prayer for bail of petitioner no. 1 is **rejected**.

CRM 7351 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)