

51 24.02.2022
AD Ct. No.29
(Allowed)

C.R.M. (DB) 542 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **S.C. 21(09)2019** arising out of **Gangnapur** P.S. Case No. **107 of 2018** dated **17/06/2018** under Sections **498(A)/304(B)/34** of the Indian Penal Code.

And

In the matter of: Monsur Mondal & Raja

....petitioner.

Mr. Kamalesh Chandra Saha
Ms. Payel Mitra

...for the petitioner.

Mr. Bidyut Kumar Roy
Ms. Rita Datta

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody from 2018 without the possibility of the trial concluding any time soon. He submits that another co-accused was granted bail who was standing on the same footing.

Learned Advocate appearing for the State draws the attention of the Court to the post mortem report and to the statements recorded under Section 161 of the Code of the Criminal Procedure of the neighbours. He highlights the fact that the victim died within five months of marriage.

Considering the gravity of the offence and considering the post mortem report of the victim and considering the involvement of the petitioner therein and his period of detention and considering the fact that one of the co-accuseds was granted bail, we grant bail to the petitioner.

Accordingly, the petitioner 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, Ranaghat, Nadia subject to the condition that during bail he shall appear before the learned trial court on the date fixed till disposal of the trial and he 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 being **C.R.M. (DB) 542 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)