

CRM (DB) 937 of 2022

10.05.2022
Sl. 50
Court No.29
(sourav)
(Allowed)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Domkal** Police Station Case No. **215** of **2019** dated **19.03.2019** under Sections **341/324/326/307/302/34** of the Indian Penal Code, 1860.

And

In the matter of: **Anarul Mondal @ Musakul**

....petitioner.

Mr. Sekhar Kumar Basu, Sr. Adv.
Mr. Kusal Kumar Mukherjee
Mr. Diptangshu Basu

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP
Mr. Dipankar Paramanick

... for the State.

Petitioner prays for bail.

Learned senior advocate appearing for the petitioner submits that the petitioner is on a better footing than Nijamuddin Mondal who was granted bail by the jurisdictional court.

Learned advocate appearing for the State submits that the petitioner herein was absconding for one and half years. He is an accused in respect of another criminal case.

So far as the present police case is concerned, the materials in the case diary does sustain a claim for parity between the petitioner and Nijamuddin Mondal. Nijamuddin Mondal was enlarged on bail by the jurisdictional court which was subsequently cancelled. The order of cancellation was set aside by the revisional court by the order dated August 9, 2021. Nijamuddin Mondal today is, therefore, on bail.

The petitioner was granted bail in the other police case on August 23, 2021 passed in CRM 3562 of 2021.

Therefore, on the ground of parity with Nijamuddin Mondal who is still on bail, we grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Murshidabad subject to the condition that during bail the petitioner shall appear before the learned trial court on every date of hearing and 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 **CRM (DB) 937 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

