

06.05.2022

Serial no. 54

[Dd]

(Bail **allowed**)

CRM (DB) 1214 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **681** of **2015** dated **07.10.2015** under Sections **341/326/307/34** of the Indian Penal Code.

-And-

In the matter of : Pralay Kumar Mandal @ Parlay Mandal

... .. Petitioner

*Mr. Sourav Chatterjee,
Mr. Aditya Tiwari, Advocates*

... .. For the Petitioner

*Mr. Swapan Banerjee,
Mr. Suman De, Advocates*

... ..For the State

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the petitioner is 67 years of age. The petitioner was not aware of the criminal proceeding. The petitioner applied for anticipatory bail 6 years after the commencement of the police case. The prayer for anticipatory bail was refused. Special Leave Petition was preferred where the Hon'ble Supreme Court granted the petitioner interim protection. The petitioner surrendered within the time stipulated by the Hon'ble Supreme Court. He submits that the petitioner is now in custody for 53 days. All other co-accuseds excepting one are on bail.

Learned advocate appearing for the State submits that the petitioner was absconding for a period of 6 years.

Considering the period of detention of the petitioner and considering the fact that all other co-accuseds excepting

one are on bail, we are inclined to 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 prayer for bail of the petitioner is **allowed**.

CRM (DB) 1214 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Kausik Chanda, J.)