

15.06.2022
tkm/ct 28
sl no. 63

C.R.M. (DB) 1703 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Tehatta P.S case no. 18 of 2002 dated 12.1.2020 under sections 302/34 IPC
and

Allowed

In Re : Rakibul Mondal @ Rakhibul Mondal petitioner

Mr. P P Das
Mr. A Mandal

..... for the petitioner

Ms. Z N Khan
Mr. Ashok Das

..... for the State

It is submitted on behalf of the petitioner that he is in custody for more than two years. There is no direct evidence connecting him with the alleged crime.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner is the paramour of the co-accused-wife and they had jointly murdered her husband.

We have considered materials on record. Statements of the children of the deceased do not name the petitioner. He was also not put up for identification by way of TI parade during investigation.

Keeping in mind the extent of complicity of the petitioner in the alleged crime, we are inclined to 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 ACJM, Tehatta, Nadia on condition that the petitioner shall appear before the trial court on every date of hearing and shall not

intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 1703 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)