

16.06.2022
SL No.34
Saswata
Ct.28
(Allowed)

CRM (DB) 1721 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Titagarh** P.S. Case No. **548/2020** dated **05.10.2020** under Sections **302/120B/34/212/201** of the **Indian Penal Code** read with Sections **25/27** of the **Arms Act**.

And

In the matter of: **Nasir Ali Mondal @ Nazir Khan**

....Petitioner

Mr. Kallol Mondal
Mr. Krishanu Ray
Mr. Souvik Das
Mr. Anamitra Banerjee

...for the Petitioner

Mr. Saswata Gopal Mukherjee, Ld. PP
Mr. N. Ahmed, APP
Ms. Trina Mitra

...for the State.

Petitioner is in custody for 552 days.

Co accuseds are on bail.

Learned Public Prosecutor opposes the prayer for bail. He submits petitioner is one of the conspirators who had hired sharp shooter to murder the deceased.

We have considered the materials on record. Co accuseds have been granted bail by coordinate benches of this Court. The complicity of the petitioner primarily rests on telephonic conversations between him and co accuseds.

Keeping in mind the aforesaid fact, and as co accuseds have been granted bail, we are of the opinion further detention of the petitioner is not necessary and he may be granted bail.

The prayer for bail is, thus, allowed.

Let the petitioner be released on bail upon furnishing a Bond of Rs. 20,000/-, with two sureties of like amount each one of whom must be local, to the satisfaction of the Learned ACJM, Barrackpore, North 24 Parganas, subject to the condition that he shall appear before the learned trial court regularly on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall not leave the jurisdiction of Basanti Police Station except for the purpose of investigation and/or for attending Court proceedings and shall report the Officer-in-charge of Basanti Police Station once in a week or until further orders.

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 is, thus, disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)