

24.06.2022
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allowed

CRM (DB) 1979 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Palashipara Police Station Case No. 54 of 2021 dated 16.02.2021 under Sections 341/325/326/307/34 of the Indian Penal Code added Section 302 of the Indian Penal Code.

And

In Re : Mitesh Mondal @ Nitesh Mondal & Anr. petitioners

Mr. Satarup Purakasthya

Mr. Amanul Islam

Mr. Sourav Mukherjee

.....for the petitioners

Mr. Saibal Bapuli, learned APP

Mr. Bibaswan Bhattacharya

..... for the State

Petitioners are in custody for 81 days.

Learned Counsel appearing for the petitioners submits that co-accuseds have been granted bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the material on record. Keeping in mind the aforesaid facts and circumstances of the case particularly extent of complicity of the petitioners in the crime and as co-accuseds have been granted bail, we are inclined to extend the same privilege to them.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten Thousand Only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the

learned Additional Chief Judicial Magistrate, Tehatta, Nadia, subject to the condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)