

29.06.2022.
44.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2025 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nabagram P. S. Case No.242 of 2021 dated 20.09.2021 under Sections 304/34 of the Indian Penal Code.

In the matter of : Biman Mondal @ Sujit Mondal & Anr.
.... Petitioners.

Mr. Soumik Ganguli,
Mr. Diptendu Banerjee,
Ms. Pinki Sarkar.

...for the Petitioners.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioners are in custody for about 139 days. Co-accuseds have been enlarged on bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioners in the alleged crime and as co-accuseds similarly circumstanced with the petitioners have been enlarged on bail, we are inclined to extend the same privilege to the petitioners also.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Lalbagh,

Murshidabad subject to condition that the petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)