

06.01.2022
tkm/ct 29
sl no. 44

C.R.M. 8997 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Dhantala P.S Case no. 324 of 2021 dated 15.7.2021 under sections 451/452/323/307/379/34 of the IPC
And

Allowed

In Re : Mijanur Mondal & Anr. petitioners

Mr. P Majumder
..... for the petitioners
Mr. T K Ghosh
Mr. Arindam Sen
..... for the State

Petitioners are in custody for 175 days. It is submitted on behalf of the petitioners that no stolen article was recovered from the petitioners.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Credibility of the allegation requires to be assessed in the light of the nature of injury as well as the submission that no stolen article was recovered from the petitioners.

In view of the aforesaid facts and the period detention suffered by the petitioners i.e. 175 days, we are inclined to grant bail to them.

Accordingly, the petitioners 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 ACJM, Ranaghat on condition that the petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM 8997 of 2021 is disposed of.

(Bibhas Ranjan De, J.)

(Joymalya Bagchi, J.)

