

03.11.2022
tkm/ct 28
sl no. 68

C.R.M. (DB) 3724 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gangnapur P.S case no. 119 of 2022 dated 21.4.2022 under sections 376D/302/34 of the IPC charge sheet submitted under sections 341/342/306/406/419/420/304/34 IPC
and

Allowed

In Re : Israfil Mondal @ Fule Mondal petitioner

Mr. A Chatterjee

..... for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

..... for the State

Petitioner is in custody for 200 days. It is submitted there is no material to establish that the victim had suffered homicidal death. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. There is no clarity whether the victim suffered homicidal death.

Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, 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, Ranaghat 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) 3724 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)