

03.11.2022
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allowed

CRM(DB) No. 3807 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangnapur Police Station Case No. 119 of 2022 dated 21.04.2022 under Sections 376D/302/34 of the Indian Penal Code and subsequently charge sheet submitted under Sections 341/342/306/406/419/420/304/34 of the Indian Penal Code.

And

In Re : Manirul Mondal @ Monirul @ Moni Mondal & Anr. petitioners

Mr. Saurav Chatterjee
Mr. Mayukh Mukherjee
Mr. Kaustav Lal Mukherjee
.....for the petitioners

Mr. Neguive Ahmed, learned APP
Ms. Jonaki Saha
..... for the State

Learned Counsel for the petitioners submits they are in custody for 194 days.

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

We have considered materials on record. There are contradictory statements with regard to the cause of death. There is no clarity whether the victim had been murdered or not. Co-accused had been granted bail in CRM (DB) 3724 of 2022

Under such circumstances, we are inclined to grant bail to the petitioners.

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 at Ranaghat, Nadia, on condition that the petitioners shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and they shall appear before the trial court on every date of hearing.

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

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)