

06.12.2022
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allowed

CRM(DB) No. 4303 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 415 of 2020 dated 21.10.2020 under Sections 326/302/34 of the Indian Penal Code.

And

In Re : Ganesh Mondal petitioner

Mr. Ali Ahsan Alamgir
Ms. Rabia Khatoon
Ms. Soma Mal

.....for the petitioner

Ms. Anasuya Sinha
Ms. Subhashree Patel

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 775 days. It is also submitted that the co-accuseds are on bail. He renews his prayer for bail.

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

We have considered the materials on record. Co-accuseds are on bail. There is no progress in the matter since rejection of bail by this Court. Keeping in mind the aforesaid facts and in view of protracted period of detention suffered by the petitioner, we are inclined to grant bail to him.

Accordingly, we direct that the petitioner viz. Ganesh Mondal shall 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 Additional Chief

Judicial Magistrate, Lalbagh, Murshidabad, subject to condition that 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 petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)