

13.12.2022
Sl. No.29
akd
[ALLOWED]

C. R. M. (DB) 4365 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.12.2022 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: ***Atiyar Rahaman Mondal***

... .. Petitioner

Mr. Prabir Majumder
Mr. Snehanshu Majumder
Ms. Sangita Chatterjee

... .. for the petitioner

Ms. Zareen N. Khan
Mr. Asif Dewan

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 235 days. Co-accuseds have been enlarged on bail.

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

We have considered the materials on record. Co-accuseds have been enlarged on bail. There is little progress in the matter since rejection of bail by this court. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Atiyar Rahaman Mondal***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to condition that the said petitioner 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 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 for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)