

22.12.2022.
18.
as
(Allowed)

C.R.M. (DB) 4502 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nakashipara P. S. Case No.664 of 2020 dated 21.12.2020 under Sections 376/506/34 of the Indian Penal Code.

In the matter of : Kuddus Mondal @ Kuddus Ali Mondal.
.... Petitioner.

Mr. Prabir Majumder,
Mr. S. Majumder.
...for the Petitioner.

Mr. Prasun Kr. Datta, Id. A.P.P.,
Mr. Nirupam Dhali.
...for the State.

Petitioner is in custody for 85 days. Investigation is complete. He is not the principal accused. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is not the principal accused. Keeping in mind the extent of complicity of the petitioner in the crime and period of detention suffered by him, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Kuddus Mondal @ Kuddus Ali 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 Chief Judicial Magistrate, Nadia at Krishnanagar subject to condition that he 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 the petitioner fails to appear before the Trial Court without any 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, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)