

29.03.2023
Sl. No.31
akd
[ALLOWED]

C. R. M. (DB) 1169 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.03.2023 in connection with Tehatta Police Station Case No.921 of 2022 dated 16.10.2022 under Sections 302/34 of the Indian Penal Code.

And

In Re: ***Papan Mandal @ Gopal Mondal***

... .. Petitioner

Mr. Parthapratim Das
Mr. Amanul Islam
Mr. Sourav Mukherjee

... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Trina Mitra

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 50 days. It is further submitted there is no direct evidence connecting him with the murder. Investigation is complete.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Case is based on circumstantial evidence. Whether the circumstances relied upon by the prosecution would form a complete chain to establish the guilt of the petitioner may be assessed during trial. Keeping in mind the aforesaid fact and as investigation is complete, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Papan Mandal @ Gopal 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, Tehatta, 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.)