

11.04.2023
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allowed

CRM(DB) No. 1424 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure 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 : Tapan Mondal @ Dipak Mondal & Anr. petitioners

Mr. Partha Pratim Das

Mr. Asraf Mondal

Mr. Sourav Mukherjee

....for the petitioners

Mr. Swapan Banerjee

Mr. Anindya Sundar Chatterjee

.... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Petitioners are in custody for 55 days. It is contended there is no direct evidence connecting them with the crime. Co-accused, similarly circumstanced with the petitioners, has been enlarged on bail. Under such circumstances, we are inclined to extend the same privilege to the petitioners.

Accordingly, we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 conditions that petitioners 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 petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their 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.)