

17.04.2023
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allowed

CRM(DB) No. 1504 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 301 of 2017 dated 05.10.2017 under Sections 363/364A/366/376/511/323/34 of the Indian Penal Code.

And

In Re : Hasan Mondal @ Abdul Hasan Mondal petitioner

Ms. Sananda Bhattacharyya
....for the petitioner

Mr. Swapan Banerjee
Mr. Suman De
.... for the State

Learned Counsel for the petitioner submits he is in custody for 49 days. It is also submitted he is not the principal accused. He prays for bail.

Learned Counsel 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 alleged crime we are inclined to grant bail to him.

Accordingly, we direct that the petitioner 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, Ranaghat, Nadia, on further condition that while on bail petitioner shall remain within the district of Nadia except for the purposes of investigation and /or attending court proceeding and shall meet the officer-in-charge of Hanskhali Police Station once

in a week until further orders. 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.)