

01.05.2023
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allowed

CRM(DB) No. 1758 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mothabari Police Station Case No. 162 of 2018 dated 02.06.2018 under Sections 326/307/34 of the Indian Penal Code.

And

In Re : Sanjay Mandal @ Sanjoy Mondal & Anr..... petitioners

Mr. Kalidas Saha

....for the petitioners

Mr. P. K. Datta, learned APP

Mr. Prodipta Ganguli

.... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. There was a matrimonial dispute. In the course of a quarrel victim suddenly set himself on fire. He has recovered since then. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioners i.e. 81days, we are inclined in granting bail to them.

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 Chief Judicial Magistrate, Malda, subject to the condition 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.)