

04.07.2023
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allowed

CRM(DB) No. 2503 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 741 of 2022 dated 21.11.2022 under Section 376(2)(1) of the Indian Penal Code.

And

In Re : Insar Mondal @ Sk. @ Inchhar Ali Mondal petitioner

Md. G. N. Imrohi

....for the petitioner

Mr. Bidyut Kumar Roy

Ms. Sima Biswas

.... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Petitioner stands on the same footing with the co-accused, Azizul Biswas @ Ajijul Biswas, who has been granted bail.

Under such circumstances, we are inclined to extend the same privilege to the petitioner.

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 Chief Judicial Magistrate at Berhampore, Murshidbad, subject to conditions that 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.)