

04.07.2023
Sl. No.119
akd
[ALLOWED]

C. R. M. (DB) 2566 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.06.2023 in connection with Domkal Police Station Case No.323 of 2021 dated 08.06.2021 under Sections 448/325/326/307/354/34/302 of the Indian Penal Code.

And

In Re: ***Jakaria Mondal & Anr.***

... .. Petitioners

Mr. Soumyajit Das Mahapatra
Ms. Soma Mal
Ms. Rabia Khatun
Ms. Madhurai Singa

... .. for the petitioners

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Mr. Iqbal Kabir

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for more than a year. Co-accused has been enlarged on bail. Accordingly, they pray for bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Co-accused has been enlarged on bail. Under such circumstances, we are inclined to extend the same privilege to the petitioners also.

Therefore, the petitioners, namely ***(1) Jakaria Mondal & (2) Sahabul Mondal***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Murshidabad at Berhampore subject to condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)