

06.09.2023
tkm/ct 28
sl no. 39

C.R.M. (DB) 3492 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Thanarpara P.S case no. 203 of 2021 dated 22.11.2021 under sections 148/149/323/302/504/34 IPC and sections 25/27 of the Arms Act and 3/4 of the ES Act
and

Allowed

In Re : Mahirul Mandal @ Masan @ Mahirul Sk ... petitioner

Mr. Ayan Basu
Md. Asraf Mondal

..... for the petitioner

Mr. N Ahmed
Ms. Amita Gaur

..... for the State

1. Petitioner is in custody for over 600 days. He submits co-accused Akubbar Mondal, Mofejuddin Mondal, Bidhiron Bibi are on bail. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer. He submits bombs were recovered from the petitioner.
3. We have considered the materials on record. Co-accused Akubbar Mondal, Mofejuddin Mondal, Bidhiron Bibi are on bail. Petitioner has suffered detention for a considerable period of time. There is no possibility of trial concluding in the near future.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner 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 ACJM, Tehatta, Nadia on condition that the petitioner shall appear before the trial court on every date of hearing and shall not

intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

7. The application being CRM (DB) 3492 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)