

08.09.2023
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allowed

CRM(DB) No. 3498 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 762 of 2023 dated 18.07.2023 under Sections 341/325/326/307/384/34 of the Indian Penal Code.

And

In Re : Dipankar Mondal & Anr. petitioners

Ms. Minoti Gomes
Mr. Abdul Rakib
Mr. Shanta Sarkar

....for the petitioners

Mr. Madhusudan Sur, learned APP
Mr. Arani Bhattacharya
Mr. Dipankar Pramanik

.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. There was a free fight between the parties over possession of land. Case and counter case have been registered. Keeping in mind the aforesaid facts, nature of accusation and the period of detention suffered by the petitioners i.e. 51 days, we are inclined to grant bail to them.

3. 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia, subject to conditions 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.

4. 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.

5. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)