

05.10.2023
Sl. No.37
akd
[ALLOWED]

C. R. M. (DB) 3833 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.08.2023 in connection with Santipur Police Station Case No.1342 of 2022 dated 26.12.2022 under Sections 341/326/307 of the Indian Penal Code. (G.R. Case No.2244 of 2022)

And

In Re: **Sanjay Mondal**

... .. Petitioner

Ms. Sananda Bhattacharyya

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor

Mr. Bibaswan Bhattacharya

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 270 days. It is further submitted there is no progress in the matter since rejection of bail by this court. Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Balancing the nature of accusation with the period of detention suffered by the petitioner and as there is no progress in the matter since rejection of bail by this court, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Sanjay Mondal**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 condition that the said petitioner 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.

5. 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.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)