

24.11.2023
tkm/ct 28
sl no. 41

C.R.M. (DB) 4431 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Sagarpara P.S case no. 276 of 2023 dated 11.9.2023 under sections 341/324/326/354/427/34 of the IPC read with sections 25/27 of the Arms Act
and

Allowed

In Re : Rajab Ali Mandal @ Md. Rajab Ali @ Mandal & Anr.
..... petitioners

Mr. Tapodip Gupta

..... for the petitioners

Mr. T K Ghosh
Mr. Arindam Sen

..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Balancing the nature of accusation with the period of detention suffered by the petitioner i.e. 75 days we are inclined to grant bail to the petitioners, however, subject to conditions.
3. Accordingly, the petitioners 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 CJM Murshidabad at Berhampore on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioners while on bail shall not enter into the jurisdiction of Sagarpara P.S and shall provide the address where they shall be residing to the Investigating Officer as well as the Court below and shall report to the officer-in-Charge within whose jurisdiction they shall presently reside once in a week until further orders.

4. 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.
5. The application being CRM (DB) 4431 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)