

21.12.2023
tkm/ct 28
sl no. 46

C.R.M. (DB) 4548 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ranaghat P.S case no. 264 of 2022 dated 21.4.2022 under sections 302/201 IPC
and

Allowed

In Re : Bipul Mondal petitioner

Ms. M Gomes

Ms. D Sanyal

..... for the petitioner

Mr. Antarikhya Basu

..... for the State

1. Petitioner is in custody for about two years. He submits victim had been abandoned by his relations. Cause of death is unclear. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer. He submits petitioner used to reside with the victim. He gave evasive replies with regard to his whereabouts. Later on the victim was found in a tied condition in the house. Finally victim expired.
3. We have considered the materials on record. Petitioner and victim used to stay together. He was found in a tied up condition at the residence. He was removed to hospital where he died, but the cause of death is unclear. Even if these allegations are believed, they may at its height portray a case of neglect.
4. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner 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, Ranaghat, 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) 4548 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)