

11.01.2024
tkm/ct 28
sl no. 59

C.R.M. (DB) 73 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Hariharpara PS case no. 75 of 2021 dated 17.2.2021 under sections 341/326/307/302/120B/34IPC and sections 25(1)(a)/27 of the Arms Act.
and

Allowed

In Re : Amanullah Mondal @Mintu Sk @Mondal & Ors.
..... petitioners

Mr. S Das Mahapatra
Mr. T Gupta

..... for the petitioners

Mr. T K Ghosh
Ms. Debjani Dasgupta

..... for the State

1. Principal witness i.e. Anwar Sk has not supported the prosecution case. In the light of such change in circumstance, he renews his bail prayer.
2. Learned lawyer for the State submits fire arms were recovered from the possession of the petitioner.
3. We have considered the materials on record. Eye-witness has not supported the prosecution case.
4. In view of the aforesaid development, 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 CJM, Murshidabad at Berhampore 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) 73 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)