

15.01.2024
cm/ct 28
sl no. 69

C.R.M. (DB) No.99 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Kotwali P.S Case No. 262 of 2023** dated **23.03.2023** under Sections **409/406/465/468/471/120B** of the Indian Penal Code 1860. Special Case No 04/2023(R-04/23).
And

Allowed

In Re : Marcelino Mongal Biswas @ Marcelino Mongal Biswas
..... petitioner

Mr. Prabir Majumder
..... for the petitioner

Ms. Z. N. Khan
Mr. Anamul Islam
..... for the State

1. Petitioner is in custody for 296 days. He has been falsely implicated in the instant case. Co accused has been granted bail.
2. We have considered the materials on record. Petitioner stands on the same footing with the co accused who are on bail. There is no chance of his abscondence. Hence, we are inclined to grant bail to the petitioner.
3. Accordingly, the petitioner be released on bail upon furnishing bonds of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned CJM, Nadia, Krishnanagar on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
4. In the event petitioner fail 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.

5. The application being CRM (DB) No. 99 of 2024 is disposed of.

(Parth Sarathi Sen, J.)

(Joymalya Bagchi, J.)