

01.03.2024
tkm/ct 28
sl no. 74

C.R.M. (DB) 626 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Amdanga P.S case no. 528 of 2021 dated 7.10.2021 under sections 395/397 IPC and sections 25/27 of the Arms Act presently under sections 395/397/412 IPC and sections 25/27 of the Arms Act
and

Allowed

In Re : Rithu Maikel Mondal

... petitioner

Mr. Surajit Basu

..... for the petitioner

Mr. N Ahmed

Mr. S Deb Roy

..... for the State

1. Petitioner is in custody for more than two years. Co-accused are on bail. He prays for bail.

2. Learned lawyer for the State opposes the bail prayer. He contends a gold ring, fire arm and money were recovered from the petitioner.

3. We have considered the materials on record. A part of the stolen booty was recovered from the other co-accused too. They are on bail. Petitioner had suffered incarceration for a considerable period of time. Offences, even if proved, would not attract mandatory life imprisonment.

4. Under such circumstances, 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 Barasat, North 24 Parganas 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) 626 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)