

11.03.2024
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allowed

CRM(DB) No. 769 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nowda Police Station Case No. 349 of 2022 dated 09.12.2022 under Sections 302/201/34 of the Indian Penal Code.

And
In Re : Babon Mondal petitioner

Mr. Souvik Mitter
Mr. Abdur Rakib
....for the petitioner

Mr. Ranadeb Sengupta
.... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than fourteen months. He renews his bail prayer.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. There is no progress in the matter since rejection of bail by this Court. Under such circumstances, we are inclined to grant bail to the petitioner.

4. Accordingly, we direct that the petitioner shall 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 Chief Judicial Magistrate, Berhampore, Murshidabad, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders

and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)