

15.03.2024
tkm/ct 28
sl no. 45

C.R.M. (DB) 839 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Harishchandrapur P.S case no. 295 of 2021 dated 12.4.2021 under sections 448/325/326/308/34 IPC added section 302 IPC

Allowed and
In Re : Tarakeswar Mandal ... petitioner

Mr.R Mukherjee
Mr. Arkaprabho Roy

..... for the petitioner

Mr. Anand Kshari

..... for the State

1. Petitioner is in custody for more than two years. He submits none of the prosecution witnesses have implicated him in the murder. He prays for bail

2. Learned lawyer for the State opposes the bail prayer. He contends petitioner had murdered this own father.

3. We have considered the evidence on record. Six witnesses have been examined till date. None of the witnesses implicated the petitioner.

4. In view of the aforesaid evidence on record 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 Chanchal, Malda 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) 839 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)