

15.03.2024
tkm/ct 28
sl no. 46

C.R.M. (DB) 840 of 2024

In Re : An application for bail under section 439 Cr.P.C in connection with Kaliachak PS case no. 950 of 2023 dated 23.7.2023 under sections 302/201/34/120B IPC

And

In Re : Anirul Mandal @ Mondal & Ors. petitioners

Mr. Sagar Saha

..... for the petitioners

Ms. Amita Gaur

..... for the State

1. Petitioners are in custody for 233 days. They submit there is no direct evidence connecting them with the murder. They pray for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. There is no direct evidence connecting the petitioners with the murder. Prosecution relies on recovery and other circumstantial evidence. In view of the scanty evidence on record, we are inclined to grant bail to the petitioners.
4. Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned CJM, Malda on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
5. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.
6. The application being CRM (DB) 840 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)