

12.04.2024.
59.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1089 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P.S. Case No.697 of 2016 dated 10.10.2016 under Sections 147/148/149/447/307/302 of the Indian Penal Code and Sections 3/4 of the Arms Act.

In the matter of : **Sanatan Mandal.**

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.

...for the Petitioner.

Mr. Suman De,
Ms. Manashi Roy.

...for the State.

1. Petitioner is in custody for more than seven years. He submits co-accused viz., Sunil Mandal and Jagadish Mandal have been enlarged on bail. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He contends petitioner had absconded for six years.
3. We have considered the materials on record. Sunil Mandal and Jagadish Mandal had also absconded for a considerable period of time. Noticing the fact that they did not hurl bombs, a Co-ordinate Bench has enlarged them on bail. There is no material to show petitioner had hurled bombs.
4. Keeping in mind the extent of complicity of the petitioner in the crime and as co-accused are on bail, we are inclined to grant similar relief to the petitioner also.
5. Accordingly, the petitioner viz., **Sanatan Mandal** 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, Malda subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall remain within the jurisdiction of Kaliachak Police Station and shall report to the Officer-in-charge of the said police station once in a week until further orders.

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

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)