

9.
02-07-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 1396 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Harishchandrapur Police Station Case No.738 of 2023 dated 22-07-2023 under Sections 341/325/308/34 of Indian Penal Code read with Section 304 of Indian Penal Code.

- A n d -

In the matter of : Sanjoy Mandal

.... Petitioner.

Ms. Sujata Das

... For the Petitioner.

Ms. Amita Gaur,
Mr. Md. Aqib Badr

... For the State.

The petitioner is one out of six accused persons. The charge is under Section 304 of the Indian Penal Code.

The petitioner says that he had no intention of causing any hurt to the victim. There was a land dispute. Accidentally, the victim lost his life. The petitioner is in custody for 140 days. Investigation is complete. His continued detention is unnecessary.

Learned advocate for the State produces the Case Diary and shows us the statements of witnesses recorded under Section 164 of the Code of Criminal Procedure. She opposes the prayer for bail saying that the charge is grave.

Since investigation is complete and in view of the nature and quality of statements recorded under Section 164 of the Code of Criminal Procedure, we are of the view that further custodial detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner, namely, **Sanjoy Mandal**, shall be released on bail upon furnishing a

bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Chanchal Malda. The 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. The petitioner shall remain within the jurisdiction of the local police station and shall report to the Officer-in-Charge of the said police station once in every fortnight until further orders.

In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM (DB) 1396 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)