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18-11-2024
(ct. no. 29)
KOLE
Allowed

CRM (DB) 2768 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Murutia Police Station** Case No. **133 of 2024** dated **30.04.2024** under Sections **302/34** of the Indian Penal Code.

- A n d -

In the matter of : Jalimuddin Mondal

.... Petitioner.

Mr. Suvom Dutta,

... For the Petitioner.

Mr. Joydeep Roy,

Mrs. R. Ghosh,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner says that the case was started under Sections 302/34 Indian Penal Code. Investigation is complete. Charge sheet has been filed under Sections 306/34 IPC. He is the brother in law of the victim lady who committed suicide. He has no role to play in the alleged incident. He is in custody for 171 days. He prays for bail.

2. Opposing the bail prayer learned State Counsel draws our attention to the material in the case diary. He fairly says that the main allegation is against one Kitabul Mondal. Kitabul's prayer for anticipatory bail was rejected by a Coordinate Bench on May 20, 2024. He is in judicial custody now.

3. Considering the facts and circumstances of the case and the material on record as also the nature and gravity of the alleged offence and the possible extent of complicity of the petitioner in the alleged offence, we are of the view that since charge sheet has

already been submitted, further custodial detention of the petitioner is not necessary.

4. Accordingly, we direct that the petitioner, namely, **Jalimuddin Mondal**, 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 Additional Chief Judicial Magistrate, Tehatta, Nadia 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 shall not leave the jurisdiction of the concerned police station shall meet the officer-in-charge of the concerned police station once in a fortnight until further orders.

5. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

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

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)