

05.11.2024
Ct. No. 28
SL No. 78
SB

C.R.M. (DB) 3137 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of B.N.S.S., 2023 in connection with **Hanskhali** P.S. Case No. 403 of 2024 dated 19.5.2024 under Sections 302/201/34 of the Indian Penal Code.

And

In the matter of: Sudhanshu Mondal

Mr. Sujan Chakraborty
Mr. Partha Sarkar

...for the Petitioner

Ms. Zareen N. Khan
Ms. Debjani Sahu

....for the State

1. Learned counsel for the petitioner submits petitioner is in custody for about 152 days. He contends co-accused are on bail. He prays for bail .
2. Learned counsel for the State submits petitioner smothered the victim with a bamboo stick to death. Others had held the victim.
3. We have considered the materials on record. The case is based on circumstantial evidence. It is un-clear whether role of the petitioner can be distinguished from co-accused who are on bail on the basis of legally admissible evidence.
4. Under such circumstances, we are inclined to enlarge the petitioner on bail.
5. Accordingly, we direct the petitioner 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, Ranaghat, Nadia subject to condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not

intimidate witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.

7. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)