

07.11.2024
Sl. No.75
akd
[ALLOWED]

C. R. M. (DB) 3351 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 19.09.2024 in connection with Amdanga Police Station Case No.388 of 2018 dated 29.08.2018 under Sections 147/148/149/427/326/302/201/120B of the Indian Penal Code read with Sections 25/27 of the Arms Act and Section 9B(ii) of Indian Explosives Act. (G.R. Case No.2992 of 2018)

And

In Re: ***Din Mohammad Mondal & Ors.***

... .. Petitioners

Mr. Bikash Ranjan Bhattacharya .. Sr. Advocate
Mr. Uday Sankar Chattopadhyay
Ms. Trisha Rakshit
Mr. Rajshree Tah
Ms. Aishwarya Datta

... .. for the petitioners

Ms. Rajnandini Das

... .. for the State

1. It is submitted on behalf of the petitioners they are in custody for about 106 days. Co-accused have been enlarged on bail. Allegations against the petitioners are general and omnibus. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioners had absconded for a considerable period of time.
3. We have considered the materials on record. Allegations against the petitioners are general and omnibus. Co-accused have been enlarged on bail. However, it is contended petitioners had absconded for a considerable period of time. Balancing the prayer for bail on parity and the plea that the petitioners may abscond, we are inclined to direct the petitioners may be enlarged on bail however, subject to strict conditions.
4. Therefore, the petitioners, namely ***(1) Din Mohammad Mondal, (2) Md. Jamal Siddique @ Saddam Hossain, (3) Yerab Ali Bulluk @***

Abdur Rauf Bhulluk @ Abdur Rab & (4) Md. Kamal Hossain, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, North 24-Parganas at Barasat subject to condition that the said petitioners 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 petitioners, while on bail, shall remain within the district of North 24-Parganas and shall report to the Officer-in-charge, Amdanga Police Station once in a week until further orders.

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 for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)