

07.11.2024

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Allowed

C.R.M. (DB) No. 3603 of 2024

In Re:- An application for bail under Section 483 of BNSS in connection with Kalyani Police Station Case No. 177 of 2024 dated 06.03.2024 under Sections 304/120B/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re : Antu Mondal petitioner

Mr. Shibaji Kumar Das

.... for the petitioner

Mr. Arijit Ganguly

Mr. Nirupam Dhali

.... for the State

Mr. Shekhar Barman

.... for de facto complainant

1. Learned Counsel for the petitioner submits he is in custody for 248 days. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Petitioner is not the principal accused. Investigation is complete. There is no chance of abscondence. Accordingly, we are inclined to enlarge the petitioner on bail.

4. 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, Kalyani, subject to condition that petitioner 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.

5. 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 in accordance with law without further reference to this Court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)