

13.12.2024
Sr. No. 30
Ct. No. 28.
AB
(Allowed)

C.R.M. (DB) 3766 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliganj Police Station Case No.449 of 2024 Dated 02.06.2024 under Sections 143/341/302 of the Indian Penal Code read with Section 25/27 of the Arms Act

In the matter of : **Robiul Mondal**

....Petitioner.

Mr. Soubhik Mitter
Mr. S. Majumdar,
Mr. Souvik Sen

.....For the Petitioner.

Md. Kutubuddin

.....For the State.

1. Heard learned Advocates for the parties.
2. Petitioner contends that he is not involved in the murder.
He has been falsely implicated. He is in custody for 151 days. He prays for bail.
3. Learned lawyer for the State opposes the prayer for bail.
4. We have considered the materials on record. Statements of witnesses do not disclose role of the petitioner in the murder. At its height he may be alleged to have harboured co-accused after the murder.
5. Keeping in mind the extent of complicity of the petitioner in the crime, period of detention suffered by him and as investigation is complete, we are inclined to grant bail to the petitioner.

6. Accordingly, the petitioner, namely, **Robiul 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 Chief Judicial Magistrate, Nadia at Krishnagar, 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 or commit similar offences in future.
7. 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.
8. This application for bail is, thus, disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)