

14.02.2025
Item no.74.
Court No.29.
S. De
(Allowed)

CRM (DB) No. 124 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Sankrail Police Station Case No. 725 of 2024** dated **23.09.2024** under **Sections 126(2)/118(2)/109/351(2)/3(5)** of the Bharatiya Nayaya Sanhita, 2023.

And

In the matter of : Sukumar Mondal.

.....Petitioner.

Mr. Dev Kumar Sharma,for the Petitioner.

Mr. Iqbal Kabir,
Mr. Saptarshi Chakraborty,for the State

Dictated by Apurba Sinha Ray, J.

1. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. He is in custody for about 145 days. Investigation is complete. There are 12 witnesses for the prosecution. There is no chance of an early conclusion of the trial. He may be enlarged on bail on any condition.
2. Learned counsel for the State opposes the prayer for bail. He draws our attention to the statement of the witnesses recorded under Section 161 Cr.P.C. (Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023) as well as to the injury report of the victim.

3. We have considered the material-on-record. The investigation of this case is complete. There is no chance of an early conclusion of the trial. The age of the petitioner is about 57 years. Considering the fact that investigation is complete, there is no need for further custodial detention of the petitioner.
4. Accordingly, we direct that the petitioner, namely, **Sukumar 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, Howrah, subject to the condition, the petitioner shall not enter the jurisdiction of Sankrail Police Station except for the purpose of attending Court proceedings and shall furnish the address where he will be residing to the Inspector-in-Charge and the learned Trial Court as well, in whose jurisdiction he will be residing and shall also appear before such Inspector-in-Charge once in a fortnight, until further orders.
5. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
6. 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.

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

8. 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.)