

12.03.2025
Item no. 35.
Court No.29.
AB
(Allowed)

CRM (DB) 273 of 2025

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 Domkal Police Station Case No.594 of 2024 Dated 05.09.2024 under Section 103(3)/3(5) of the B.N.S. 2023

And

In the matter of : Raju Mondal @ Raju Mandal

.....Petitioner.

Md. Mokaram Hossain,
Md. Naimul Islam,
Mr. Razzak Hossain,
Mr. Salauddin Ahmed for the Petitioner.

Mr. Madhusudan Sur, Id. APP
Ms. Srilekha Chattopadhyay for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. He has no role to play in the alleged incident of murder of the 9 year old victim girl. There is no reason why he would kill such a young girl. In fact, after he heard that the victim girl, who was his neighbour, has sustained gunshot injuries, he rushed to the spot and took the girl to the hospital. However, the girl did not survive. He is in custody for six months. Investigation is complete. His further custodial detention is not necessary.
2. Opposing the prayer for bail, learned State Advocate draws our attention to the statements of witnesses

recorded under Sections 180/183 B.N.S.S. 2023. We have also seen the post mortem report.

3. On an overall assessment of the material on record, we are of the view that since investigation is complete and charge sheet has been filed, further custodial detention of the petitioner is not necessary.
4. Accordingly, we direct that the petitioner, namely **RAJU MONDAL @ RAJU MANDAL** 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, Berhampore, Murshidabad, and on further conditions that he shall remain within the jurisdiction of the concerned police station and shall report to the Officer in charge of the concerned police station once in a week 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 and/or commit any cognizable offence 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.

(Om Narayan Rai, J.)

(Arijit Banerjee, J.)