

24.03.2025  
Item no. 24.  
Court No.29.  
AB  
(Allowed)

**CRM (DB) 303 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 Mothabari Police Station Case No.185 of 2020 Dated 15.05.2020 under Sections 120B/302/34 of the Indian Penal Code

And

**In the matter of : Sachin Mandal @ Sachen Mandal**

**.....Petitioner.**

Mr. Kalidas Saha,  
Ms. Khushi Mollick .....for the Petitioner.

Mrs. Amita Gour  
Ms. Madhumita Basak .....for the State.

**Dictated by Arijit Banerjee, J.**

1. Status report filed by the State, be kept with the records.
2. We see that examination of witness took place before the learned Trial Court last in April, 2023. Learned State Counsel says that since May, 2023, the Trial Court is lying vacant.
3. The petitioner is in custody for close to five years. Considering his period of detention, purely on the touchstone of Article 21 of the Constitution of India and without touching the merits of the case, we are constrained to grant bail to the petitioner.
4. Accordingly, we direct that the petitioner, namely **Sachin Mandal @ Sachen 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, Malda, and on further conditions that he shall not leave the jurisdiction of English Bazar Police Station and shall report to the Officer-in-Charge of English Bazar Police Station 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 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.

**(Apurba Sinha Ray, J.)**

**(Arijit Banerjee, J.)**

