

22.04.2025

51

jb.

jdt.

Allowed

C.R.M. (DB) 804 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya of the Bharatia
Nagarik Suraksha Sanhita in connection with Thanarpara Police
Station Case No. 203 of 2021 dated 22.11.2021 under Sections
148/149/323/302/504/34 of the Indian Penal Code and Sections
25/27 of the Arms Act and Sections 3/4 of the E.S. Act.

And

In Re : Litan Mandal @ Fenka @ Litan Mondal
... Petitioner.

Mr. Joydeep Biswas
Mr. Asraf Mondal
... For the Petitioner.

Mr. Bitasok Banerjee
Mr. Atanu Ghosh
... For the State.

The petitioner seeks parity with the co-accused who has
been granted bail earlier.

Heard learned counsels for the parties.

The bail prayer of the petitioner was turned down by this
Court on 3rd December, 2024 on the ground that he has been
named by the witnesses in their statements recorded under
Section 164 of the Code of Criminal Procedure and also absconded
for three years. The petitioner is in custody for more than 300
days and appears to be similarly circumstanced with the co-
accused who have been granted bail.

In view of the above, the petitioner is entitled to the same
benefit.

Accordingly, the prayer for bail is allowed.

The petitioner namely Litan Mandal @ Fenka @ Litan
Mondal shall be released on bail upon furnishing bond of
Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of

the learned Additional Chief Judicial Magistrate, Tehatta, Nadia subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and he shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing without any justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)