

13.05.2025

Item No.66

Ct.No.34

rc.

Allowed

C.R.M. (DB) 1048 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jiaganj Police Station Case No. 171 of 2023 dated 08.07.2023 under Sections 448/450/302/201/506/34 of the Indian Penal Code.

And

In Re : **Bapi Mondal @ Mandal**

... Petitioner

Ms. Shalini Bairagi

Mr. Priyankar Ganguly

Mr. Golam Nure Imrohi

... for the Petitioner

Ms. Amita Gaur

Mr. Rahul Ganguly

... For the State

Heard learned counsels for the parties.

The petitioner is in custody for more than a year and seeks parity with the co-accused who have been granted bail.

Learned counsel for the State submits that the petitioner and the other co-accused have been named as the assailants by the defacto complainant in her statement recorded under Section 164 of the Code of Criminal Procedure.

The petitioner appears to be similarly circumstanced with the co-accused who are on bail and deserves the same benefit.

Accordingly, prayer for bail of the petitioner is allowed.

The petitioner **Bapi Mondal @ Mandal** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad subject to condition that he shall appear before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as mentioned above without 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, thus, disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)