

14.08.2025

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jb.

jdt.

Allowed

C.R.M. (M) 717 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Pukhuria Police Station Case No. 502 of 2024 dated 02.09.2024 under Sections 126(2)/115(2)/118(2)/109/3(5) of the Bharatiya Nyaya Sanhita.

And

In Re : Afajuddin Mondal @ Afajuddin Mondol

Mr. A. Islam
Mr. S. Sarkar
Ms. S. Srivastav
Mrs. S. Agarwal

... For the Petitioner.

Mr. Koushik Kundu
Mr. Tapas Kr. Saha

... For the State

The petitioner is in custody for about 96 days and prays for bail.

Learned counsel for the petitioner submits that the principal assailant who is the son of the petitioner has been granted bail by this Court.

Learned counsel for the State opposes the prayer.

I have considered the material on record. One Azizur Rahaman Mandal @ Ajijur Rahman Mondal @ Ajijur Rahman Mondol appears to be the principal assailant who inflicted grievous injury on the person of the victim. He has been granted bail by this Court. Charge sheet has been submitted. Further detention of the petitioner is not required.

Accordingly, the prayer for bail is allowed.

The petitioner namely Afajuddin Mondal @ Afajuddin Mondol shall 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, Chanchal, Malda subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and 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.

Case diary be returned.

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.)