

03.07.2025
Item no. 40
Court No.25
Mujahid
(Allowed)

CRM (M) 825 of 2025

In Re: An Application for bail under Section 483 of BNSS, 2023 in connection with Chapra P.S. Case No. 288 of 2025 dated 10.03.2025 under Sections 108/351(3)/3(5) of the BNS, 2023 and Sections 25/27 of the Arms Act.

And

In the matter of : Jhantu Mondal @ Jhoni

.....Appellant.

Ms. Minoti Gomes,
Mr. Prabir Majumder,
Mr. Snehansu Majumder,
Mr. Debraj Shil

.....for the Appellant.

Mr. Madhusudan Sur,
Ms. Ratna Ghosh

.....for the State.

1. Learned counsel for the petitioner submits that the case of the prosecution is full of doubts as allegedly on 10th March, 2025 deceased Makbul Hossain committed suicide at 5.00 a.m. and on the same day petitioner executed a sale deed in favour of Nusrat Jahan wife of late Makbul Hossain and thereafter in the night the de facto complainant lodged the complaint on which present FIR was lodged and the accused was arrested.

2. Learned counsel for the petitioner submits that though the deceased Makbul Hossain has left a suicide note but the same on the face of it is full of contradictions.

3. Learned counsel for the State has opposed the bail application. The suicide note has been read over and translated

with the help of the learned counsel for the petitioner. Learned counsel for the State submits that petitioner is an influential person and is in the business of money lending. Learned counsel submits that against the principle amount of Rs.3 lakh the petitioner was demanding Rs.8 lakh and had been continuously pressurizing the victim and on account of which he committed the suicide.

4. The court has considered the submissions. The court at the stage of bail has only to see prima facie case and cannot go into the meticulous appreciation of evidence. Prima facie, a sale deed was executed on 4th July, 2023 by the deceased and other member of his family in favour of the petitioner for a sum of Rs.7 lakh. The same property was transferred back in the name of the de facto complainant, i.e., wife of the deceased on 10th March, 2025 for a sum of Rs.1.63 lakh. It is not the case of the prosecution that initially the land which was purchased by the petitioner was of value more than 7 lakh and the deceased or his family was pressurized to sale the same at a lower price. Nor is the case of the prosecution that any proceedings were initiated for cancellation of sale deed dated 4th July, 2023. The probity of the suicide note is yet to be ascertained during the trial. The charge-sheet had already been filed there would be no purpose of keeping the accused in custody.

5. Hence the petitioner 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 Chief Judicial Magistrate, Krishnagar, Nadia. The

petitioner shall not threaten and intimidate the witnesses nor shall contact them in any manner whatsoever and shall not leave the country without permission of the learned trial court and shall attend the trial regularly.

6. The application for bail is, thus, allowed.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Dinesh Kumar Sharma, J.)