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02.09.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 1178 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Matia PS Case No. 447 of 2024 dated 11.12.2024 under Sections 329(3)/117(2)/118(2)/109/76/351(2)/3(5) of the BNS, 2023.

And

In Re : **Jamal Mondal @ Jamaluddin Mondal** .. Petitioner.

Mr. Dipanjan Chatterjee

Ms. Kakan Das

Ms. Rimpa Adhikari ... for the Petitioner.

Mr. B. K. Panda

Mr. Rahul Ganguly ... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for about 73 days and prays for bail.

Learned counsel for the petitioner submits that there was a scuffle between the members of the same family due to property dispute. Charge sheet has been submitted. His further detention is not required. He may be released on bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record. There appears to have been a free fight between the parties in which one of the members of a group sustained injuries. The victim has been discharged from the hospital. Charge sheet has been submitted. No specific overt act has been attributed to the petitioner in the alleged offence.

Considering the material on record, this Court is of the view that further detention of the petitioner is not required and he may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely **Jamal Mondal @ Jamaluddin Mondal** 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, Basirhat subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date 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.

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.)