

03.10.2025
Item No.38
Ct. No.7
RP
Allowed

C.R.M.(M) 1755 of 2025

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Hogalberia** Police Station Case No. **131** of **2019** dated **04.08.2019** under Sections **302/201/34** of the Indian Penal Code pending before the Court of the Learned Additional District and Sessions Judge, Tehatta, Nadia.

And

In the matter of : Animesh Mondal

..... petitioner

Mr. Joydeep Biswas

Mr. Asraf Mondal

....for the petitioner

Mr. Arijit Ganguly

Ms. Debjani Sahoo

....for the State

1. Heard learned Advocates for the petitioner and for the State at length.
2. Perused the entire materials as placed before this Court including the materials as available in the case diary.
3. On careful perusal of the entire materials as available in the case diary it reveals that there are sufficient incriminating materials as against the present petitioner. However, considering the fact that the present case is not based upon eyewitness account at least prima facie and also considering the fact that the present accused petitioner is languishing in jail custody for a considerable length of time despite framing of charge on 22.11.2022

and keeping in mind very slow progress of trial, this Court is inclined to allow the prayer for bail of the petitioner.

4. Accordingly, the prayer for bail is allowed.
5. Accordingly, the petitioner, namely, Animesh Mondal shall be released on bail upon furnishing a bond of Rs.20,000/- with two registered sureties of Rs.10,000/- each, subject to the satisfaction of the learned Additional Chief Judicial Magistrate, Tehatta, Nadia, and on further condition that the present accused petitioner shall have to appear before the learned trial Court on each and every date of substantive hearing unless his personal appearance is dispensed with by the learned trial Court. It is further ordered that in the event the present accused petitioner fails to appear before the learned trial Court even for a single date of substantive hearing while on bail the learned trial Court will be at liberty to cancel the bail of the petitioner as granted by this Court.
6. With the aforementioned observation, CRM(M) 1755 of 2025 is disposed of.

(Partha Sarathi Sen, J.)

