

22.12.2025
Court No.35.
D/L. 29.
Rakib
(Allowed)

CRM (M) 2642 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raninagar Police Station case no. 360 of 2023 dated 10.07.2023 under Sections 302/34 of the Indian Penal Code.

And

In the matter of : Mahadeb Mondal.

.....Petitioner.

Mr. Ranadeb Sengupta

Mr. Sourav Bishnu

.....for the Petitioner.

Mr. Joydeep Roy

Ms. Snigdha Saha

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for two years five months and out of 20 witnesses cited by the prosecution in the charge-sheet only two witnesses have been examined and the evidence in respect of two other witnesses are partially completed.

Learned advocate for the State opposes the prayer for bail and submits that it is the petitioner who is the principal offender and there are eye-witnesses against him which states that the petitioner used sharp cutting weapons/hansua to inflict incise wounds which resulted in death of the victim.

I have taken into account the submissions of the learned advocate appearing for rival parties and I find that the genesis of the case relate to an elopement which resulted in a

family dispute and the petitioner assaulted with the sharp cutting weapons at a stage when there were heated exchange between the family members.

Learned advocate for the State submits that in the Case Diary no materials are available to support that the present petitioner has criminal antecedents.

As the genesis of the case emanates from a family dispute and there is hardly any possibility of the trial concluding in near future and the petitioner is in custody for two years five months, I am of the view that further detention of the petitioner is unwarranted. As such the prayer for bail of the petitioner is **allowed**.

Accordingly, petitioner namely, **Mahadeb Mondal** shall be released on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000 (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad.

If on bail, the petitioner shall be physically present on each and every date before the learned trial Court in seisin of the case. The petitioner shall not leave the jurisdiction of district of Murshidabad without the prior permission of the learned trial Court.

It is further directed that the learned trial Court would fix a schedule in a manner wherein at least one witness is to be

completed on each and every month henceforth and within a period of two years from date the trial of the case should be completed.

No unnecessary adjournment be granted to any of the parties and the trial of the case would continue in spite of the resolution of the local bar.

In case there is violation of the aforesaid two conditions the learned trial Court will cancel the bail of the petitioner without further reference.

Accordingly, CRM (M) 2642 of 2025 is **allowed**.

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

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

(Tirthankar Ghosh, J.)