

24.02.2026
Ct. 35/sl 138
tkm

CRM (M) 362 of 2026

In Re : An application for bail under Section 483 of the BNSS 2023 in connection with Gazole PS case no. 930 of 2024 dated 16.10.2024 under sections 329(4)/115(2)/117(2)/118(2)/74/76/109/324(4)/302(2)/3(5) of the BNS 2023

And

In Re : Nimai Mandal @ Nimai Mondal

..... petitioner

Allowed

Md. Wasim Akram
Ms. S Parveen

..... for the petitioner

Mr. Imram Ali
Ms. Diksha Ghosh

..... for the State

1. Learned advocate for the petitioner submits that the petitioner is in custody for 45 days and is similarly placed with the other accused who has been granted bail.

2. Learned advocate for the State opposes the prayer for bail and submits that the petitioner was arrested on the basis of warrant of arrest being executed.

3. I have considered the materials in the case diary. The injured suffered substantially. The petitioner was arrested and was fleeing away from the process of law for a considerable period of time. On the basis of warrant of arrest, he was apprehended and is in custody for 45 days. The statement also reflects that the family members of the injured were also assaulted and the dispute was relating to collection of subscription for the purpose of 'Durga puja'. Having considered the totality of the circumstances as well as the fact that some of the accused persons are still fleeing away from the process of

law and there is no possibility of the trial commencing in the near future, I am inclined to release the petitioner on bail, however subject strict conditions.

4. Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of like amount each, one of whom must be local to the satisfaction of the learned CJM Malda on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall not enter the district of Malda except for attending the court proceeding. Petitioner would either stay within the district of Murshidabad or within the district of South Dinajpur. He shall provide the address where he shall reside to the investigating agency and the trial court. Learned trial court is directed to impose additional condition of meeting with the inspector-in-charge/officer-in-charge of the concerned police station within whose jurisdiction he shall presently reside, once in a week until further orders.

5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

6. With the aforesaid observation, CRM(M) 362 of 2026 is allowed.

(Tirthankar Ghosh, J.)