

30.05.2025
Court No.6
Item No.18
BD/jayanta

CRM (M) 565 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of BNSS, 2023, in connection with Sessions Case No. 426 (8) of 2023 arising out of Bhimpur Police Station Case No. 138 of 2023 dated 21.04.2023 under Sections 302/34 of the Indian Penal Code and adding Section 379/411/120B of the Indian Penal Code.

And

And

In the matter of: **Atul @ Gourango Mondal**

....Applicant/Petitioner.

Ms. Karabi Roy

..for the petitioner

Md. Adil Badar

Mr. Subhajit

..for the State

1. This Court has heard learned advocate for the petitioner and learned advocate for the State at length.
2. This court has also considered the entire materials as placed before this Court including the materials available in the Case Diary.
3. Admittedly in the present case is based on circumstantial evidence.
4. It further reveals that the present accused petitioner is languishing in Judicial Custody for more than 26 months.
5. It reveals further that as of now out of 37 charge sheeted witnesses seven prosecution witnesses have been examined

though the learned advocate for the respondents State submits before this Court that before the learned Trial Court the prosecution intends to examine total 15 witnesses.

6. On careful consideration of the entire materials as placed before this Court and also keeping in mind that the present accused petitioner is languishing in Judicial Custody for a considerable length of time and considering the progress of trial from the earlier date of rejection of bail of the present accused petitioner as on 2/9/2024 this Court is of considered view that the present accused petitioner is successful to make out a case for obtaining an order for bail.
7. Accordingly, prayer for bail is allowed.
8. It is thus ordered that the petitioner, namely, **Atul @ Gourango Mondal** be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, to the satisfaction of the Additional Sessions Judge, FTC 1, Krishnagar, Nadia and also on condition that the present accused petitioner shall appear before the learned Trial Court on each and every date of substantive hearing and shall not commit any threat and/or inducement to the charge sheeted witnesses and he shall also not tamper with the evidence.
9. It is further ordered that the present accused petitioner shall not enter the village Kulgachi under P.S. Bhimpur except with the permission of the learned Trial Court till completion of the trial.

10. It is made clear that in the event any of the conditions of bail as imposed by this Court is violated by the present accused petitioner, learned Trial Court is at liberty to cancel the bail of the present accused petitioner without any further reference to this Court.
11. With the aforementioned observation the CRM (M) 565 of 2025, is disposed of.

(Partha Sarathi Sen J.)