

IN THE COURT OF ADDL. SESSIONS JUDGE, TEHATTA, NADIA
Criminal Misc Case No. 18/2024
(Arising out of Palashipara PS Case No. 340/23, dated 25-10-2023)

Present: Shri Sanjoy Ranjan Paul

Petitioners namely **Mankhusi Biswas, Sushanta Barui** versus State

Order No.02 Dated 16.01.2024

This is an application U/s.439 Cr.P.C. filed by accused persons namely **Mankhusi Biswas, Sushanta Barui**.

Hd. Ld. Lawyer for the petitioner and Ld. PP-In-Charge.

The Ld. Advocate on behalf of the accused persons/petitioners has submitted that petitioners were arrested and produced before the Court of Ld. A.C.J.M. Tehatta on 03.12.23 and since then, they are in custody and no application u/s 439 Cr.P.C. has been preferred any higher forum of Law. He has prayed for bail on any terms and conditions.

Ld. PP-In-Charge has raised objection.

Perused the C.D. & L.C.R.

It appears from the record that bail prayer of this accused u/s 438 Cr.P.C. was rejected by the Sessions Judge, Nadia. This is a case and counter case and Palashipara PS case No. 344/23 and 340/23 were initiated on the basis of the incident dated 25.10.23. Admittedly one Title Suit being no. 224/23 is also pending between the parties, where the defacto complainant of this case preferred that Title Suit against this accused persons and others.. Considering the fact and circumstances of this case and materials in CD and period of detention, I am inclined to allow the petitioners on bail. The accused persons /petitioners namely **Mankhusi Biswas, Sushanta Barui** may find bail of **Rs.5,000/-each with two sureties of Rs.2,500/- each** to the satisfaction of Ld. A.C.J.M. Tehatta with condition not to cause disappearance of evidence and to meet the IO once in a week till the submission of charge sheet.

C.D. & L.C.R. be returned.

The Misc. Case stands disposed of.

Let, a copy of this order along with L.C.R. be sent to Ld. A.C.J.M. Tehatta for his information and necessary action.

Dictated & Corrected by

Addl. Sessions Judge,
Tehatta, Nadia

Addl. Sessions Judge
Tehatta, Nadia

