

03.09.2020
tkm
sl no. 40

C.R.M. 6186 of 2020
CRAN 1 of 2020 (old CRAN 4695 of 2020)
(via video conference)

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Mogra P.S. Case No. 339 of 2019 dated 30.12.2019 under Sections 498A/304B of the Indian Penal Code.

And

Allowed

In Re : Kaji Abdul Ajijul @ Khokan petitioner

Mr. S. Chakraborty

..... for the petitioner

Ms. Z. N Khan

..... for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Accordingly, the application being CRAN 4695 of 2020 is disposed of.

Petitioner is the husband of the victim housewife and he is in custody for 245 days.

Learned lawyer for the State opposes the prayer for bail and submits that the victim suffered unnatural death due to burn injuries. She was subjected to torture over demand of dowry.

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime as appearing from the dying declaration of the victim at page 87 of the case diary and in view of the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount

each, one of whom must be local to the satisfaction of the learned CJM, Hooghly at Chinsurah on condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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.

The application being CRM 6186 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)