

20.10.2020
Sl. No.47
akd
[ALLOWED]

C. R. M. 8214 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.10.2020 in connection with Habra Police Station Case No. 324 of 2019 dated 03.08.2019 under Sections 498A/304B/323/328/120B/34 of the Indian Penal Code.

And

In Re: **Avijit Majumder @ Chandi @ Abhijit Majumdar**
... .. Petitioner

Mr. Shataroop Purukayastha .. Advocate

Mr. Hamidur Rahaman .. Advocate

... .. for the petitioner

Mr. Swapan Banerjee .. Advocate

Mrs. Purnima Ghosh .. Advocate

... .. for the State

Petitioner renews his prayer for bail.

It is submitted on behalf of the petitioner that he is in custody for about 408 days.

Learned advocate appearing for the State opposes the prayer for bail and submits that the victim-housewife was killed by administering poison in her food.

We have considered the materials on record. There is no direct evidence to show that the petitioner had administered poison in the food of his wife. Keeping in mind the facts and circumstances of this case and the protracted period of detention suffered by the petitioner, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Avijit Majumder @ Chandi @ Abhijit Majumdar**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, North 24-Parganas at Barasat subject

to condition that the said 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 for bail, thus, stands **allowed**.

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Md. Nizamuddin, J.)

(Joymalya Bagchi, J.)