

17.12.2020

8

b.das

CRM 9699 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kushmandi P.S. Case No.94 of 2020 dated 28.10.2020 under Sections 498A/325/308/34 of the Indian Penal Code read with Section 3/4 D.P. Act.

And

In the matter of: Md. Anjarul Hoque @ Md. Anjarul Haque & Anr.
....Petitioners.

Mr. Arup Sarkar
...for the Petitioners.

Mr. Arijit Ganguly
Mr. Sanjib Kr. Dan
...for the State.

It is submitted on behalf of the petitioner that there is a matrimonial dispute between the parties. They are in custody for 51 days.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record including the medical report. Allegations are general and omnibus in nature. Medical report does not disclose any previous injury. Under such circumstances, we are of the opinion that petitioners may be granted bail.

Accordingly we direct that the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Gangarampur at Buniadpur, Dakshin Dinajpur subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and

shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)