

16.12.2020
Sl. No.72
akd
[ALLOWED]

C. R. M. 10445 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.12.2020 in connection with Jhalda Police Station Case No. 95 of 2020 dated 31.07.2020 under Sections 498A/304B/302/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.1003 of 2020)

And

In Re: ***Sohel Kaji & Anr.***

... .. Petitioners

Mr. Tapan Datta Gupta .. Advocate

Mr. Parvej Anam .. Advocate

... .. for the petitioners

Mr. Saswata Gopal Mukherjee .. Ld. Public Prosecutor

Mr. Parthapratim Das .. Advocate

Mrs. Manasi Roy .. Advocate

... .. for the State

Petitioner no.1 is in custody for about 138 days and petitioner no.2 is in custody for about 127 days.

Learned advocate appearing for the State opposes the prayer for bail.

Statements of witnesses relating to torture are general and omnibus in nature. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioners, we are of the opinion that further detention of the accused/petitioners is not necessary.

Therefore, the accused/petitioners, namely **(1) *Sohel Kaji & (2) *Ekram Kaji****, 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 Chief Judicial Magistrate, Purulia subject to condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)