

08.11.2021
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allowed

**CRM 2429 of 2021
(via video conferencing)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chakdaha Police Station Case No. 307 of 2020 dated 28.10.2020 under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re : Jiarul @ Jiyarul @ Jairul Mallick petitioner

Mr. Mazhar Hossain

.....for the petitioner

Mr. Saswata Gopal Mukherjee, Learned P.P.

Mr. Partha Pratim Das

Mrs. Manasi Roy

..... for the State

Learned Counsel appearing for the petitioner submits that the co-accused persons have been granted pre-arrest bail. He prays for bail for the petitioner who stands on the same footing with the co-accuseds who are on bail.

We have considered the materials on record. Statements of the witnesses alleging torture are general and omnibus in nature. Victim did not leave behind any suicide note. In view of the aforesaid fact and as the co-accused persons have been granted pre-arrest bail, we are inclined in granting bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a 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 Additional Chief Judicial Magistrate, Kalyani, Nadia, subject to the 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 automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)