

29. 29.07.2021
Ct.32
Tanmoy
Allowed

C.R.M. 3631 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **27.04.2021** in connection with **Ranitala Police Station Case No. 512 of 2020** dated **24.10.2020** under Sections **498A/326/307/34/302** of the Indian Penal Code.

And

In the matter of: - **Selim Sk.**

....petitioner.

Mr. Debapriya Samanta,
Mr. Snehasis Mukherjee

...for the petitioner (through V.C.)

Mr. Saibal Bapuli, A.P.P.,
Mr. Arijit Ganguly, A.P.P.,
Mr. A. Bhattacharyya

...for the State.

The petitioner is the husband of the victim lady. The other two accused persons being the mother-in-law and the aunt-in-law have obtained bail.

We have heard learned Counsel for the parties. Mr. Bapuli, learned A.P.P. points out that there is dying declaration of the victim wife to the effect that the petitioner poured kerosene on her and set her on fire.

We have considered the material in the Case Diary. No doubt, the offence that the petitioner has been charged with is of a grave nature. However, charge-sheet has been filed. The petitioner is in custody for about 278 days. Charges are yet to be framed. It is anybody's guess when the trial will commence and conclude. We do not see how any useful purpose will be served by keeping the petitioner incarcerated any further. We are

inclined to grant bail to the petitioner, however, on stringent conditions.

Accordingly, we direct that the petitioner shall 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 learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad on condition that the petitioner shall appear before the trial Court on every date of hearing and shall meet the Officer-in-Charge of the Police Station within the jurisdiction of which he resides once in every week until further orders and shall not leave the district without leave of the Officer-in-Charge. The petitioner is further directed not to intimidate the witnesses and/or tamper with evidence in any manner whatsoever and shall not commit similar offence in future.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail being C.R.M. 3631 of 2021 is, accordingly, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)