

26.08.2021
Item no.75.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 4523 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 01.07.2021 in connection with Dhantala Police Station Case No.69 of 2021 Dated 20.2.2021 under Sections 498A/304B/34 of the Indian Penal Code

And

In the matter of : Rajesh Halder

.....Petitioner.

Ms. S. Bhattacharyafor the Petitioner.

Ms. Faria Hossain,
Ms. Baishali Basufor the State.

The petitioner is the husband of the victim lady. The petitioner says that the victim committed suicide. He has no role to play in the death of the victim.

The State relies on the material in the case diary and says that the petitioner and the in-laws of the victim used to torture her regularly. This prompted the victim to kill herself.

Having considered the material on record, we find that the allegations made are general and omnibus in nature. No specific allegation is there against the petitioner. The in-laws are out on bail/anticipatory bail. Charge sheet has been submitted. The petitioner is in custody for about 186 days.

On an overall assessment of the facts and circumstances of the case and the material on record and the possible extent of complicity of the petitioner in the alleged offence, we are of the view that further custodial detention of the petitioner is not necessary.

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 the learned Additional Chief Judicial Magistrate, Ranaghat, and on further conditions that he shall remain within the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

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 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 is, accordingly, allowed.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)

