

24.11.2021

640

Ct. No. 29

KAUSHIK

Allowed

C.R.M. 4820 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Maheshtala** Police Station Case No. **255** of **2016** dated **17.04.2016** under Sections 498A/302 of the Indian Penal Code, 1860.

And

In Re : Saddam Gharami

..... petitioner

Mr. Angsuman Chakraborty

.....for the petitioner

Mr. Tanmoy Kumar Ghosh

Mr. Arindam Sen

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, considering the period of detention of the petitioner and the stage of trial and that the trial is yet to be concluded, the prayer for bail should be considered.

Learned advocate appearing for the State opposes the prayer for grant of bail. He draws the attention of the Court to the post mortem report, the statement recorded under Section 164 of the Code of Criminal Procedure (Cr. P. C.) as also to the statement recorded under Section 161 of the Cr. P. C.

Considering the materials in the case diary and considering the period of detention of the petitioner and considering the fact that there is hardly any prospect of the trial being concluded any time soon with three of the eighteen

witnesses being examined at this stage, it would be appropriate to grant bail to the petitioner.

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 Chief Judicial Magistrate, Alipore, South 24-Parganas**, 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.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)