

07.10.2021
tkm/ct 29
sl no. 591

C.R.M. 4837 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Joynagar P.S case no. 1634/2017 dated 29.11.2017 under sections 498A/302/201/120B of the IPC

And

Allowed

In Re : Dukhiram Naskar

..... petitioner

Mr. A Rakib

..... for the petitioner

Ms. Faria Hossain

Ms. Sonali Das

..... for the State

Petitioner seeks bail.

Learned advocate for the petitioner submits that the petitioner is in custody for about three years and seven months. Police filed charge sheet. Therefore, further detention of the petitioner is not necessary. Another co-accused was granted bail by the co-ordinate Bench.

Learned lawyer for the State draws attention of this Court to the statements of the chance witnesses recorded under section 161 Cr.P.C.

Considering the period of detention of the petitioner and considering the fact that another co-accused was granted bail by the co-ordinate Bench, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM, Baruipur on condition that the petitioner 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM 4837 of 2021 is disposed of.

(Ananda Kumar Mukherjee, J.)

(Debangsu Basak, J.)