

07.12.2021
Sl. No.9
akd
[ALLOWED]

C. R. M. 5345 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.07.2021 in connection with Amta Police Station Case No. 170 of 2017 dated 11.04.2017 under Sections 498A/304B/302/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.977 of 2017)

And

In Re: **Mantu Hazra**

... .. Petitioner

Mr. Biswajit Tiwari

... .. for the petitioner

Ms. Zareen N. Khan

Ms. Sreeparna Das

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for more than four years. It is further submitted that there is no progress in the matter since the last rejection of bail.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Allegations against the petitioner are grave. Housewife suffered burn injuries within one month of marriage. However, we note there is hardly any progress in the matter since the last rejection of bail. Perusal of the order sheet of the trial court makes it evident delay cannot be attributed to the petitioner. In view of the aforesaid facts and as there is no direct evidence that the petitioner had set the housewife on fire, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Mantu Hazra**, 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, Uluberia, Howrah subject to condition that the said 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 for bail, thus, stands **allowed**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)