

17.12.2021
176
sdas
allowed

**CRM 5378 of 2021
(via video conferencing)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Palashipara Police Station Case No. 310 of 2020 dated 18.10.2020 under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re : Tarun Saha petitioner

Mr. Sekhar Kumar Basu, Sr. Adv.
Mr. Prabir Majumder

.....for the petitioner

Mr. Neguive Ahmed, learned APP
Ms. Ayantika Roy

..... for the State

It is submitted by the learned Counsel appearing for the petitioner that he is in custody for one year. It is further submitted that he has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes prayer for bail and submits victim housewife was tortured and has committed suicide within one year of marriage.

Having considered the materials on record and keeping in mind the facts and circumstances of the case and period of detention suffered by the petitioner, we are inclined to grant bail to him.

Accordingly, we direct that the petitioner shall 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 Additional Chief Judicial Magistrate, Tehatta, Nadia, 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.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)