

06.12.2021
49
sdas
allowed

**CRM 7770 of 2021
(via video conferencing)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kolaghat Police Station Case No. 388 of 2020 dated 29.11.2020 under Sections 498A/304B/34 of the Indian Penal Code.

And

In Re : Netai alias Nitai alias Natai Khanra petitioner

Mr. Jayanta Banerjee
Ms. Ruxmini Basu Roy

.....for the petitioner

Ms. Manasi Roy

..... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for about a year. It is also submitted that he has been falsely implicated in the instant case.

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

We have considered the materials on record. Allegations of torture are general and omnibus in nature. Co-accused persons have been granted pre-arrest bail. In view of the aforesaid facts and circumstances of the case, period of detention suffered by the petitioner and as investigation is complete, we are inclined in granting 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 learned Chief Judicial Magistrate,

Purba Medinipur at Tamluk, 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.)